

# House File 2734 - Enrolled

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1 1 HOUSE FILE 2734  
1 2  
1 3 AN ACT  
1 4 RELATING TO AND MAKING APPROPRIATIONS TO THE DEPARTMENT OF  
1 5 HUMAN SERVICES, THE DEPARTMENT OF ELDER AFFAIRS, THE IOWA  
1 6 DEPARTMENT OF PUBLIC HEALTH, THE DEPARTMENT OF VETERANS  
1 7 AFFAIRS AND THE IOWA VETERANS HOME, THE DEPARTMENT OF HUMAN  
1 8 RIGHTS, AND THE DEPARTMENT OF INSPECTIONS AND APPEALS,  
1 9 PROVIDING FOR FEE INCREASES, AND INCLUDING OTHER RELATED  
1 10 PROVISIONS AND APPROPRIATIONS, AND INCLUDING EFFECTIVE,  
1 11 APPLICABILITY, AND RETROACTIVE APPLICABILITY DATE PROVISIONS.  
1 12  
1 13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
1 14  
1 15 DIVISION I  
1 16 GENERAL FUND AND BLOCK GRANT APPROPRIATIONS  
1 17 ELDER AFFAIRS  
1 18 Section 1. DEPARTMENT OF ELDER AFFAIRS. There is  
1 19 appropriated from the general fund of the state to the  
1 20 department of elder affairs for the fiscal year beginning July  
1 21 1, 2006, and ending June 30, 2007, the following amount, or so  
1 22 much thereof as is necessary, to be used for the purposes  
1 23 designated:  
1 24 For aging programs for the department of elder affairs and  
1 25 area agencies on aging to provide citizens of Iowa who are 60  
1 26 years of age and older with case management for the frail  
1 27 elderly only if the monthly cost per client for case  
1 28 management for the frail elderly services provided does not  
1 29 exceed an average of \$70, resident advocate committee  
1 30 coordination, employment, and other services which may  
1 31 include, but are not limited to, adult day services, respite  
1 32 care, chore services, telephone reassurance, information and  
1 33 assistance, and home repair services, and for the construction  
1 34 of entrance ramps which make residences accessible to the  
1 35 physically handicapped, and for salaries, support,  
2 1 administration, maintenance, miscellaneous purposes, and for  
2 2 not more than the following full-time equivalent positions  
2 3 with the department of elder affairs:  
2 4 ..... \$ 4,262,660  
2 5 ..... FTEs 30.50  
2 6 1. Funds appropriated in this section may be used to  
2 7 supplement federal funds under federal regulations. To  
2 8 receive funds appropriated in this section, a local area  
2 9 agency on aging shall match the funds with moneys from other  
2 10 sources according to rules adopted by the department. Funds  
2 11 appropriated in this section may be used for elderly services  
2 12 not specifically enumerated in this section only if approved  
2 13 by an area agency on aging for provision of the service within  
2 14 the area.  
2 15 2. Of the funds appropriated in this section, \$2,788,223  
2 16 shall be used for case management for the frail elderly. Of  
2 17 the funds allocated in this subsection, \$1,385,015 shall be  
2 18 transferred to the department of human services in equal  
2 19 amounts on a quarterly basis for reimbursement of case  
2 20 management services provided under the medical assistance  
2 21 elderly waiver. The department of human services shall adopt  
2 22 rules for case management services provided under the medical  
2 23 assistance elderly waiver in consultation with the department  
2 24 of elder affairs. The monthly cost per client for case  
2 25 management for the frail elderly services provided shall not  
2 26 exceed an average of \$70. It is the intent of the general  
2 27 assembly that the additional funding provided for case  
2 28 management for the frail elderly for the fiscal year beginning  
2 29 July 1, 2006, and ending June 30, 2007, shall be used to  
2 30 provide case management services for up to an additional 1,650  
2 31 individuals. Notwithstanding any provision to the contrary,  
2 32 any savings realized in case management for the frail elderly  
2 33 that is not provided under the medical assistance elderly  
2 34 waiver shall be used for services for the frail elderly which  
2 35 may include substitute decision-making services pursuant to  
3 1 chapter 231E.  
3 2 3. Of the funds appropriated in this section, the  
3 3 department shall use \$25,000 to provide training to the

3 4 members of boards of directors of area agencies on aging  
3 5 pursuant to section 231.23, as amended by this Act.  
3 6 4. Of the funds appropriated in this section, \$200,198  
3 7 shall be transferred to the department of economic development  
3 8 for the Iowa commission on volunteer services to be used for  
3 9 the retired and senior volunteer program.

#### 3 10 HEALTH

3 11 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. There is  
3 12 appropriated from the general fund of the state to the Iowa  
3 13 department of public health for the fiscal year beginning July  
3 14 1, 2006, and ending June 30, 2007, the following amounts, or  
3 15 so much thereof as is necessary, to be used for the purposes  
3 16 designated:

##### 3 17 1. ADDICTIVE DISORDERS

3 18 For reducing the prevalence of use of tobacco, alcohol, and  
3 19 other drugs, and treating individuals affected by addictive  
3 20 behaviors, including gambling, and for not more than the  
3 21 following full-time equivalent positions:

3 22 ..... \$ 1,761,036  
3 23 ..... FTEs 4.35

3 24 The department and any grantee or subgrantee of the  
3 25 department shall not discriminate against a nongovernmental  
3 26 organization that provides substance abuse treatment and  
3 27 prevention services or applies for funding to provide those  
3 28 services on the basis that the organization has a religious  
3 29 character.

3 30 Of the moneys appropriated in this subsection, \$30,310  
3 31 shall be used to continue to provide funding to local  
3 32 communities that have previously received funding from the  
3 33 centers for disease control and prevention of the United  
3 34 States department of health and human services for secondhand  
3 35 smoke education initiatives.

##### 4 1 2. HEALTHY CHILDREN AND FAMILIES

4 2 For promoting the optimum health status for children,  
4 3 adolescents from birth through 21 years of age, and families  
4 4 and for not more than the following full-time equivalent  
4 5 positions:

4 6 ..... \$ 2,361,264  
4 7 ..... FTEs 8.60

4 8 Of the funds appropriated in this subsection, not more than  
4 9 \$645,917 shall be used for the healthy opportunities to  
4 10 experience success (HOPES)=healthy families Iowa (HFI) program  
4 11 established pursuant to section 135.106. The department shall  
4 12 transfer the funding allocated for the HOPES=HFI program to  
4 13 the Iowa empowerment board for distribution and shall assist  
4 14 the board in managing the contracting for the funding. The  
4 15 funding shall be distributed to renew the grants that were  
4 16 provided to the grantees that operated the program during the  
4 17 fiscal year ending June 30, 2006.

4 18 Of the funds appropriated in this subsection, \$150,000  
4 19 shall be used for the access to baby and child dentistry  
4 20 (ABCD) program to improve child dental care by reaching all  
4 21 Iowa counties with a demonstrated oral health program for  
4 22 children from birth through five years of age.

4 23 Of the funds appropriated in this subsection, \$325,000  
4 24 shall be used to address the healthy mental development of  
4 25 children from birth through five years of age through local  
4 26 evidence-based strategies that engage both the public and  
4 27 private sectors in promoting healthy development, prevention,  
4 28 and treatment for children.

4 29 Of the funds appropriated in this subsection, \$20,000 shall  
4 30 be used to implement a pilot demonstration project, in  
4 31 cooperation with the department of human services and the  
4 32 department of elder affairs, that utilizes a web-based system  
4 33 to allow a common intake, case management, and referral system  
4 34 and provides linkages with existing software programs at  
4 35 minimal cost to the agencies involved.

##### 5 1 3. CHRONIC CONDITIONS

5 2 For serving individuals identified as having chronic  
5 3 conditions or special health care needs, and for not more than  
5 4 the following full-time equivalent positions:

5 5 ..... \$ 1,742,840  
5 6 ..... FTEs 3.75

5 7 Of the funds appropriated in this subsection, not more than  
5 8 \$280,000 shall be used to leverage federal funding through the  
5 9 federal Ryan White Care Act, Title II, AIDS drug assistance  
5 10 program supplemental drug treatment grants.

5 11 Of the funds appropriated in this subsection, \$120,000  
5 12 shall be used to implement and administer the prescription  
5 13 drug donation repository program authorized pursuant to  
5 14 chapter 135M. The department shall issue a request for

5 15 proposals to select a contractor to implement and administer  
 5 16 the program.  
 5 17 4. COMMUNITY CAPACITY  
 5 18 For strengthening the health care delivery system at the  
 5 19 local level, and for not more than the following full-time  
 5 20 equivalent positions:  
 5 21 ..... \$ 1,718,662  
 5 22 ..... FTEs 10.75  
 5 23 Of the funds appropriated in this subsection, \$100,000 is  
 5 24 allocated for a child vision screening program implemented  
 5 25 through the university of Iowa hospitals and clinics in  
 5 26 collaboration with community empowerment areas.  
 5 27 Of the funds appropriated in this subsection, \$159,700 is  
 5 28 allocated for an initiative implemented at the university of  
 5 29 Iowa and \$140,300 is allocated for an initiative at the state  
 5 30 mental health institute at Cherokee to expand and improve the  
 5 31 workforce engaged in mental health treatment and services.  
 5 32 The initiatives shall receive input from the university of  
 5 33 Iowa, the department of human services, the Iowa department of  
 5 34 public health and the mental health, mental retardation,  
 5 35 developmental disabilities, and brain injury commission to  
 6 1 address the focus of the initiatives. The department of human  
 6 2 services, the Iowa department of public health, and the  
 6 3 commission shall receive regular updates concerning the status  
 6 4 of the initiatives.  
 6 5 5. ELDERLY WELLNESS  
 6 6 For optimizing the health of persons 60 years of age and  
 6 7 older:  
 6 8 ..... \$ 9,233,985  
 6 9 6. ENVIRONMENTAL HAZARDS  
 6 10 For reducing the public's exposure to hazards in the  
 6 11 environment, primarily chemical hazards, and for not more than  
 6 12 the following full-time equivalent positions:  
 6 13 ..... \$ 623,821  
 6 14 ..... FTEs 1.75  
 6 15 Of the amount appropriated in this subsection, \$100,000 is  
 6 16 allocated for childhood lead poisoning prevention activities  
 6 17 for counties not receiving federal funding for this purpose,  
 6 18 \$80,000 is allocated to implement blood lead testing pursuant  
 6 19 to section 135.105D, as enacted in this Act, \$50,000 is  
 6 20 allocated to continue the pilot project to address lead  
 6 21 poisoning prevention and remediation activities in a  
 6 22 three-county program in north central Iowa with a combined  
 6 23 population of at least 50,000, and \$120,000 is allocated for  
 6 24 lead hazard remediation. The department shall select at least  
 6 25 two local childhood lead poisoning programs to receive the  
 6 26 amount allocated for lead hazard remediation. The selection  
 6 27 shall be based on the number of lead-poisoned children living  
 6 28 in the service area of the local childhood lead poisoning  
 6 29 prevention program, the capacity of the program to work with  
 6 30 housing agencies to administer the lead hazard remediation  
 6 31 program, and the lack of other resources available for lead  
 6 32 hazard remediation in the service area of the program.  
 6 33 7. INFECTIOUS DISEASES  
 6 34 For reducing the incidence and prevalence of communicable  
 6 35 diseases, and for not more than the following full-time  
 7 1 equivalent positions:  
 7 2 ..... \$ 1,258,230  
 7 3 ..... FTEs 4.75  
 7 4 If House File 2493 or other legislation providing for a  
 7 5 viral hepatitis program and study is enacted into law, of the  
 7 6 funds appropriated in this subsection, \$158,000 is allocated  
 7 7 for a viral hepatitis program and study.  
 7 8 8. PUBLIC PROTECTION  
 7 9 For protecting the health and safety of the public through  
 7 10 establishing standards and enforcing regulations, and for not  
 7 11 more than the following full-time equivalent positions:  
 7 12 ..... \$ 7,941,473  
 7 13 ..... FTEs 113.80  
 7 14 Of the funds appropriated in this subsection, \$643,500  
 7 15 shall be credited to the emergency medical services fund  
 7 16 created in section 135.25.  
 7 17 Of the funds appropriated in this subsection, \$50,000 is  
 7 18 allocated for increased costs of the office of the state  
 7 19 medical examiner laboratory.  
 7 20 9. RESOURCE MANAGEMENT  
 7 21 For establishing and sustaining the overall ability of the  
 7 22 department to deliver services to the public, and for not more  
 7 23 than the following full-time equivalent positions:  
 7 24 ..... \$ 1,016,420  
 7 25 ..... FTEs 3.00

10. IOWA COLLABORATIVE SAFETY NET PROVIDER NETWORK  
 For continuation of the formal network of safety net  
 providers as provided in 2005 Iowa Acts, chapter 175, section  
 2, subsection 12. Of the amount appropriated in this division  
 of this Act for the medical assistance program, \$1,100,000 is  
 transferred to the appropriations made in this subsection.  
 The amount transferred is allocated as follows:  
     a. To continue the contract for the program to develop an  
 Iowa collaborative safety net provider network:  
         ..... \$ 450,000  
     b. For continuation of the incubation grant program to  
 community health centers that receive a total score of 85  
 based on the evaluation criteria of the health resources and  
 services administration of the United States department of  
 health and human services:  
         ..... \$ 650,000  
 The university of Iowa hospitals and clinics under the  
 control of the state board of regents shall not receive  
 indirect costs from the funds appropriated in this section.  
 Sec. 3. DEPARTMENT OF PUBLIC HEALTH == ADDITIONAL  
 PROVISIONS.  
 For the fiscal year beginning July 1, 2006, and ending June  
 30, 2007:  
     1. A local health care provider or nonprofit health care  
 organization seeking grant moneys administered by the Iowa  
 department of public health shall provide documentation that  
 the provider or organization has coordinated its services with  
 other local entities providing similar services.  
     2. a. The department shall apply for available federal  
 funds for sexual abstinence education programs.  
     b. It is the intent of the general assembly to comply with  
 the United States Congress' intent to provide education that  
 promotes abstinence from sexual activity outside of marriage  
 and reduces pregnancies, by focusing efforts on those persons  
 most likely to father and bear children out of wedlock.  
     c. Any sexual abstinence education program awarded moneys  
 under the grant program shall meet the definition of  
 abstinence education in the federal law. Grantees shall be  
 evaluated based upon the extent to which the abstinence  
 program successfully communicates the goals set forth in the  
 federal law.  
 Sec. 4. GAMBLING TREATMENT FUND == APPROPRIATION. In lieu  
 of the appropriation made in section 135.150, subsection 1,  
 there is appropriated from funds available in the gambling  
 treatment fund created in section 135.150 to the Iowa  
 department of public health for the fiscal year beginning July  
 1, 2006, and ending June 30, 2007, the following amount, or so  
 much thereof as is necessary, to be used for the purposes  
 designated:  
     1. ADDICTIVE DISORDERS  
         To be utilized for the benefit of persons with addictions:  
         ..... \$ 1,690,000  
         It is the intent of the general assembly that from the  
 moneys appropriated in this subsection, persons with a dual  
 diagnosis of substance abuse and gambling addictions shall be  
 given priority in treatment services.  
     2. GAMBLING TREATMENT PROGRAM  
         The amount remaining in the gambling treatment fund after  
 the appropriation made in subsection 1 is appropriated to the  
 department to be used for funding of administrative costs and  
 to provide programs which may include, but are not limited to,  
 outpatient and follow-up treatment for persons affected by  
 problem gambling, rehabilitation and residential treatment  
 programs, information and referral services, education and  
 preventive services, and financial management services. Of  
 the amount appropriated in this subsection, up to \$100,000 may  
 be used for the licensing of gambling treatment programs as  
 provided in section 135.150.  
 DEPARTMENT OF VETERANS AFFAIRS  
 Sec. 5. DEPARTMENT OF VETERANS AFFAIRS. There is  
 appropriated from the general fund of the state to the  
 department of veterans affairs for the fiscal year beginning  
 July 1, 2006, and ending June 30, 2007, the following amounts,  
 or so much thereof as is necessary, to be used for the  
 purposes designated:  
     1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION  
         For salaries, support, maintenance, miscellaneous purposes,  
 including the war orphans educational aid fund established  
 pursuant to chapter 35 and for not more than the following  
 full-time equivalent positions:  
         ..... \$ 522,114

10 2 ..... FTEs 6.50  
 10 3 Of the funds appropriated in this subsection, \$50,000 is  
 10 4 allocated for outreach efforts utilizing retired and senior  
 10 5 volunteers in programs established pursuant to chapter 15H.  
 10 6 If possible, for the fiscal year beginning July 1, 2006, and  
 10 7 ending June 30, 2007, the department shall contract with  
 10 8 individuals currently coordinating volunteers with existing  
 10 9 programs. The department shall be responsible for ensuring  
 10 10 individuals responsible for claims processing receive adequate  
 10 11 training.  
 10 12 The department of veterans affairs shall report to the  
 10 13 senate state government committee and to the veterans  
 10 14 committee of the house of representatives by October 15, 2006,  
 10 15 regarding employment of the additional field service officers  
 10 16 authorized under this subsection.  
 10 17 2. IOWA VETERANS HOME  
 10 18 For salaries, support, maintenance, and miscellaneous  
 10 19 purposes and for not more than the following full-time  
 10 20 equivalent positions:  
 10 21 ..... \$ 13,569,501  
 10 22 ..... FTEs 874.55  
 10 23 HUMAN SERVICES  
 10 24 Sec. 6. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK  
 10 25 GRANT. There is appropriated from the fund created in section  
 10 26 8.41 to the department of human services for the fiscal year  
 10 27 beginning July 1, 2006, and ending June 30, 2007, from moneys  
 10 28 received under the federal temporary assistance for needy  
 10 29 families (TANF) block grant pursuant to the federal Personal  
 10 30 Responsibility and Work Opportunity Reconciliation Act of  
 10 31 1996, Pub. L. No. 104-193, and successor legislation, which  
 10 32 are federally appropriated for the federal fiscal years  
 10 33 beginning October 1, 2005, and ending September 30, 2006, and  
 10 34 beginning October 1, 2006, and ending September 30, 2007, the  
 10 35 following amounts, or so much thereof as is necessary, to be  
 11 1 used for the purposes designated:  
 11 2 1. To be credited to the family investment program account  
 11 3 and used for assistance under the family investment program  
 11 4 under chapter 239B:  
 11 5 ..... \$ 40,858,316  
 11 6 2. To be credited to the family investment program account  
 11 7 and used for the job opportunities and basic skills (JOBS)  
 11 8 program, and implementing family investment agreements, in  
 11 9 accordance with chapter 239B:  
 11 10 ..... \$ 17,128,861  
 11 11 3. To be used for the family development and  
 11 12 self-sufficiency grant program as provided under section  
 11 13 217.12 and this division of this Act:  
 11 14 ..... \$ 2,698,675  
 11 15 4. For field operations:  
 11 16 ..... \$ 17,707,495  
 11 17 5. For general administration:  
 11 18 ..... \$ 3,744,000  
 11 19 6. For local administrative costs:  
 11 20 ..... \$ 2,189,830  
 11 21 7. For state child care assistance:  
 11 22 ..... \$ 15,756,560  
 11 23 a. Of the funds appropriated in this subsection, \$200,000  
 11 24 shall be used for provision of educational opportunities to  
 11 25 registered child care home providers in order to improve  
 11 26 services and programs offered by this category of providers  
 11 27 and to increase the number of providers. The department may  
 11 28 contract with institutions of higher education or child care  
 11 29 resource and referral centers to provide the educational  
 11 30 opportunities. Allowable administrative costs under the  
 11 31 contracts shall not exceed 5 percent. The application for a  
 11 32 grant shall not exceed two pages in length.  
 11 33 b. The funds appropriated in this subsection shall be  
 11 34 transferred to the child care and development block grant  
 11 35 appropriation.  
 12 1 8. For mental health and developmental disabilities  
 12 2 community services:  
 12 3 ..... \$ 4,894,052  
 12 4 9. For child and family services:  
 12 5 ..... \$ 32,084,430  
 12 6 10. For child abuse prevention grants:  
 12 7 ..... \$ 250,000  
 12 8 11. For pregnancy prevention grants on the condition that  
 12 9 family planning services are funded:  
 12 10 ..... \$ 1,987,530  
 12 11 Pregnancy prevention grants shall be awarded to programs in  
 12 12 existence on or before July 1, 2006, if the programs are

comprehensive in scope and have demonstrated positive outcomes. Grants shall be awarded to pregnancy prevention programs which are developed after July 1, 2006, if the programs are comprehensive in scope and are based on existing models that have demonstrated positive outcomes. Grants shall comply with the requirements provided in 1997 Iowa Acts, chapter 208, section 14, subsections 1 and 2, including the requirement that grant programs must emphasize sexual abstinence. Priority in the awarding of grants shall be given to programs that serve areas of the state which demonstrate the highest percentage of unplanned pregnancies of females of childbearing age within the geographic area to be served by the grant.

12. For technology needs and other resources necessary to meet federal welfare reform reporting, tracking, and case management requirements:

..... \$ 1,037,186

13. For the healthy opportunities for parents to experience success (HOPES) program administered by the Iowa department of public health to target child abuse prevention:

..... \$ 200,000

14. To be credited to the state child care assistance appropriation made in this section to be used for funding of community-based early childhood programs targeted to children from birth through five years of age, developed by community empowerment areas as provided in section 28.9:

..... \$ 7,350,000

The department shall transfer TANF block grant funding appropriated and allocated in this subsection to the child care and development block grant appropriation in accordance with federal law as necessary to comply with the provisions of this subsection.

15. For a pilot program to be established in one or more judicial districts, selected by the department and the judicial council, to provide employment and support services to delinquent child support obligors as an alternative to commitment to jail as punishment for contempt of court:

..... \$ 200,000

Of the amounts appropriated in this section, \$13,019,471 for the fiscal year beginning July 1, 2006, shall be transferred to the appropriation of the federal social services block grant for that fiscal year. If the federal government revises requirements to reduce the amount that may be transferred to the federal social services block grant, it is the intent of the general assembly to act expeditiously during the 2007 legislative session to adjust appropriations or the transfer amount or take other actions to address the reduced amount.

The department may transfer funds allocated in this section to the appropriations in this Act for general administration and field operations for resources necessary to implement and operate the services referred to in this section and those funded in the appropriation made in this division of this Act for the family investment program from the general fund.

Sec. 7. FAMILY INVESTMENT PROGRAM ACCOUNT.

1. Moneys credited to the family investment program (FIP) account for the fiscal year beginning July 1, 2006, and ending June 30, 2007, shall be used to provide assistance in accordance with chapter 239B.

2. The department may use a portion of the moneys credited to the FIP account under this section as necessary for salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions which are in addition to any other full-time equivalent positions authorized in this division of this Act:

..... FTEs 14.00

3. The department may transfer funds allocated in this section to the appropriations in this Act for general administration and field operations for resources necessary to implement and operate the services referred to in this section and those funded in the appropriation made in this division of this Act for the family investment program from the general fund of the state.

4. Moneys appropriated in this division of this Act and credited to the FIP account for the fiscal year beginning July 1, 2006, and ending June 30, 2007, are allocated as follows:

a. For the family development and self-sufficiency grant program as provided under section 217.12:

..... \$ 5,283,042

(1) Of the funds allocated for the family development and self-sufficiency grant program in this lettered paragraph, not

14 24 more than 5 percent of the funds shall be used for the  
14 25 administration of the grant program.

14 26 (2) The department may continue to implement the family  
14 27 development and self-sufficiency grant program statewide  
14 28 during FY 2006=2007.

14 29 b. For the diversion subaccount of the FIP account:  
14 30 ..... \$ 2,814,000  
14 31 (1) A portion of the moneys allocated for the subaccount  
14 32 may be used for field operations salaries, data management  
14 33 system development, and implementation costs and support  
14 34 deemed necessary by the director of human services in order to  
14 35 administer the FIP diversion program.

15 1 (2) Of the funds allocated in this lettered paragraph, not  
15 2 more than \$250,000 shall be used to develop or continue  
15 3 community-level parental obligation pilot projects. The  
15 4 requirements established under 2001 Iowa Acts, chapter 191,  
15 5 section 3, subsection 5, paragraph "c", subparagraph (3),  
15 6 shall remain applicable to the parental obligation pilot  
15 7 projects for fiscal year 2006=2007. Notwithstanding 441 IAC  
15 8 100.8, providing for termination of rules relating to the  
15 9 pilot projects the earlier of October 1, 2006, or when  
15 10 legislative authority is discontinued, the rules relating to  
15 11 the pilot projects shall remain in effect until June 30, 2007.

15 12 c. For the food stamp employment and training program:  
15 13 ..... \$ 64,278

15 14 d. For the JOBS program:  
15 15 ..... \$ 23,968,620

15 16 Of the funds allocated in this lettered paragraph,  
15 17 \$2,000,000 shall be used to maintain the mileage reimbursement  
15 18 rate for the JOBS program at the same rate used for the  
15 19 Medicaid program during the fiscal year.

15 20 5. Of the child support collections assigned under FIP, an  
15 21 amount equal to the federal share of support collections shall  
15 22 be credited to the child support recovery appropriation. Of  
15 23 the remainder of the assigned child support collections  
15 24 received by the child support recovery unit, a portion shall  
15 25 be credited to the FIP account and a portion may be used to  
15 26 increase recoveries. If child support collections assigned  
15 27 under FIP are greater than estimated, the state share of that  
15 28 greater portion may be transferred to the child support  
15 29 payments account.

15 30 6. The department may adopt emergency rules for the family  
15 31 investment, JOBS, family development and self-sufficiency  
15 32 grant, food stamp, and medical assistance programs if  
15 33 necessary to comply with federal requirements.

15 34 Sec. 8. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is  
15 35 appropriated from the general fund of the state to the  
16 1 department of human services for the fiscal year beginning  
16 2 July 1, 2006, and ending June 30, 2007, the following amount,  
16 3 or so much thereof as is necessary, to be used for the purpose  
16 4 designated:

16 5 To be credited to the family investment program (FIP)  
16 6 account and used for family investment program assistance  
16 7 under chapter 239B:  
16 8 ..... \$ 42,599,885

16 9 1. Of the funds appropriated in this section, \$6,839,767  
16 10 is allocated for the JOBS program.

16 11 2. Of the funds appropriated in this section, \$2,584,367  
16 12 is allocated for the family development and self-sufficiency  
16 13 grant program as provided under section 217.12 and this  
16 14 division of this Act.

16 15 3. Of the funds appropriated in this section, \$200,000  
16 16 shall be used to provide a grant to an Iowa-based nonprofit  
16 17 organization with a history of providing tax preparation  
16 18 assistance to low-income Iowans in order to expand the usage  
16 19 of the earned income tax credit. The purpose of the grant is  
16 20 to supply this assistance to underserved areas of the state.  
16 21 The grant shall be provided to an organization that has  
16 22 existing national foundation support for supplying such  
16 23 assistance that can also secure local charitable match  
16 24 funding.

16 25 4. Notwithstanding section 8.39, for the fiscal year  
16 26 beginning July 1, 2006, if necessary to meet federal  
16 27 maintenance of effort requirements or to transfer federal  
16 28 temporary assistance for needy families block grant funding to  
16 29 be used for purposes of the federal social services block  
16 30 grant or to meet cash flow needs resulting from delays in  
16 31 receiving federal funding or to implement, in accordance with  
16 32 this division of this Act, activities currently funded with  
16 33 juvenile court services, county, or community moneys and state  
16 34 moneys used in combination with such moneys, the department of

16 35 human services may transfer funds within or between any of the  
 17 1 appropriations made in this division of this Act and  
 17 2 appropriations in law for the federal social services block  
 17 3 grant to the department for the following purposes, provided  
 17 4 that the combined amount of state and federal temporary  
 17 5 assistance for needy families block grant funding for each  
 17 6 appropriation remains the same before and after the transfer:  
 17 7 a. For the family investment program.  
 17 8 b. For child care assistance.  
 17 9 c. For child and family services.  
 17 10 d. For field operations.  
 17 11 e. For general administration.  
 17 12 f. MH/MR/DD/BI community services (local purchase).  
 17 13 This subsection shall not be construed to prohibit existing  
 17 14 state transfer authority for other purposes. The department  
 17 15 shall report any transfers made pursuant to this subsection to  
 17 16 the legislative services agency.  
 17 17 Sec. 9. CHILD SUPPORT RECOVERY. There is appropriated  
 17 18 from the general fund of the state to the department of human  
 17 19 services for the fiscal year beginning July 1, 2006, and  
 17 20 ending June 30, 2007, the following amount, or so much thereof  
 17 21 as is necessary, to be used for the purposes designated:  
 17 22 For child support recovery, including salaries, support,  
 17 23 maintenance, and miscellaneous purposes and for not more than  
 17 24 the following full-time equivalent positions:  
 17 25 ..... \$ 8,214,690  
 17 26 ..... FTEs 450.00  
 17 27 1. The department shall expend up to \$31,000, including  
 17 28 federal financial participation, for the fiscal year beginning  
 17 29 July 1, 2006, for a child support public awareness campaign.  
 17 30 The department and the office of the attorney general shall  
 17 31 cooperate in continuation of the campaign. The public  
 17 32 awareness campaign shall emphasize, through a variety of media  
 17 33 activities, the importance of maximum involvement of both  
 17 34 parents in the lives of their children as well as the  
 17 35 importance of payment of child support obligations.  
 18 1 2. Federal access and visitation grant moneys shall be  
 18 2 issued directly to private not-for-profit agencies that  
 18 3 provide services designed to increase compliance with the  
 18 4 child access provisions of court orders, including but not  
 18 5 limited to neutral visitation site and mediation services.  
 18 6 Sec. 10. MEDICAL ASSISTANCE. There is appropriated from  
 18 7 the general fund of the state to the department of human  
 18 8 services for the fiscal year beginning July 1, 2006, and  
 18 9 ending June 30, 2007, the following amount, or so much thereof  
 18 10 as is necessary, to be used for the purpose designated:  
 18 11 For medical assistance reimbursement and associated costs  
 18 12 as specifically provided in the reimbursement methodologies in  
 18 13 effect on June 30, 2006, except as otherwise expressly  
 18 14 authorized by law, including reimbursement for abortion  
 18 15 services, which shall be available under the medical  
 18 16 assistance program only for those abortions which are  
 18 17 medically necessary:  
 18 18 ..... \$652,311,610  
 18 19 1. Medically necessary abortions are those performed under  
 18 20 any of the following conditions:  
 18 21 a. The attending physician certifies that continuing the  
 18 22 pregnancy would endanger the life of the pregnant woman.  
 18 23 b. The attending physician certifies that the fetus is  
 18 24 physically deformed, mentally deficient, or afflicted with a  
 18 25 congenital illness.  
 18 26 c. The pregnancy is the result of a rape which is reported  
 18 27 within 45 days of the incident to a law enforcement agency or  
 18 28 public or private health agency which may include a family  
 18 29 physician.  
 18 30 d. The pregnancy is the result of incest which is reported  
 18 31 within 150 days of the incident to a law enforcement agency or  
 18 32 public or private health agency which may include a family  
 18 33 physician.  
 18 34 e. Any spontaneous abortion, commonly known as a  
 18 35 miscarriage, if not all of the products of conception are  
 19 1 expelled.  
 19 2 2. The department shall utilize not more than \$60,000 of  
 19 3 the funds appropriated in this section to continue the  
 19 4 AIDS/HIV health insurance premium payment program as  
 19 5 established in 1992 Iowa Acts, Second Extraordinary Session,  
 19 6 chapter 1001, section 409, subsection 6. Of the funds  
 19 7 allocated in this subsection, not more than \$5,000 may be  
 19 8 expended for administrative purposes.  
 19 9 3. Of the funds appropriated to the Iowa department of  
 19 10 public health for addictive disorders, \$950,000 for the fiscal



19 11 year beginning July 1, 2006, shall be transferred to the  
19 12 department of human services for an integrated substance abuse  
19 13 managed care system.

19 14 4. Based upon a waiver from the federal centers for  
19 15 Medicare and Medicaid services, the department shall provide a  
19 16 period of 12 months of guaranteed eligibility for medical  
19 17 assistance family planning services only, regardless of the  
19 18 change in circumstances of a woman who was a medical  
19 19 assistance recipient when a pregnancy ended. The department  
19 20 shall also provide this eligibility to women of childbearing  
19 21 age with countable income at or below 200 percent of the  
19 22 federal poverty level. The department may adopt emergency  
19 23 rules to implement this subsection.

19 24 5. a. The department shall aggressively pursue options  
19 25 for providing medical assistance or other assistance to  
19 26 individuals with special needs who become ineligible to  
19 27 continue receiving services under the early and periodic  
19 28 screening, diagnosis, and treatment program under the medical  
19 29 assistance program due to becoming 21 years of age, who have  
19 30 been approved for additional assistance through the  
19 31 department's exception to policy provisions, but who have  
19 32 health care needs in excess of the funding available through  
19 33 the exception to policy process.

19 34 b. Of the funds appropriated in this section, \$100,000  
19 35 shall be used for participation in one or more pilot projects  
20 1 operated by a private provider to allow the individual or  
20 2 individuals to receive service in the community in accordance  
20 3 with principles established in *Olmstead v. L.C.*, 527 U.S. 581  
20 4 (1999), for the purpose of providing medical assistance or  
20 5 other assistance to individuals with special needs who become  
20 6 ineligible to continue receiving services under the early and  
20 7 periodic screening, diagnosis, and treatment program under the  
20 8 medical assistance program due to becoming 21 years of age,  
20 9 who have been approved for additional assistance through the  
20 10 department's exception to policy provisions, but who have  
20 11 health care needs in excess of the funding available through  
20 12 the exception to the policy provisions.

20 13 6. Of the funds appropriated in this section, up to  
20 14 \$3,050,082 may be transferred to the field operations or  
20 15 general administration appropriations in this Act for  
20 16 implementation and operational costs associated with Part D of  
20 17 the federal Medicare Prescription Drug, Improvement, and  
20 18 Modernization Act of 2003, Pub. L. No. 108=173.

20 19 7. The department shall initiate planning to address  
20 20 options available under the federal Family Opportunity Act  
20 21 enacted as part of the federal Deficit Reduction Act of 2005,  
20 22 Pub. L. No. 109=171. The options addressed shall include but  
20 23 are not limited to the option to allow families of children  
20 24 with disabilities to purchase Medicaid coverage, other health  
20 25 coverage options, and the option to apply to the centers for  
20 26 Medicare and Medicaid services of the United States department  
20 27 of health and human services for Iowa to participate in a  
20 28 demonstration project to develop home and community-based  
20 29 services as an alternative to psychiatric residential  
20 30 treatment for children with psychiatric disabilities who are  
20 31 enrolled in the Medicaid program. The department shall report  
20 32 by December 15, 2006, to the persons designated by this Act to  
20 33 receive reports regarding the planning activities and  
20 34 recommendations regarding the options.

20 35 8. The department shall apply to the centers for Medicare  
21 1 and Medicaid services of the United States department of  
21 2 health and human services to participate in the Medicaid  
21 3 transformation grants program as specified in section 6081 of  
21 4 the federal Deficit Reduction Act of 2005, Pub. L. No.  
21 5 109=171, for adoption of innovative methods to improve the  
21 6 effectiveness and efficiency in providing medical assistance.  
21 7 The innovative methods may include but are not limited to the  
21 8 use of electronic health records and personal health records  
21 9 by health care professionals and consumers to address the  
21 10 health needs specific to populations including but not limited  
21 11 to persons with brain injury, persons with dual diagnoses of  
21 12 mental illness and mental retardation or substance abuse and  
21 13 mental illness, and children with chronic conditions; the use  
21 14 of diagnostic techniques that promote the early diagnosis and  
21 15 treatment of chronic disease in adults including physical and  
21 16 mental health, hepatitis, behavioral health, and cancer; and  
21 17 review of the physical and mental health status of the medical  
21 18 assistance population to more effectively integrate and  
21 19 determine public health strategies and interventions to reduce  
21 20 the incidence of preventable diseases and chronic conditions  
21 21 in the medical assistance population including but not limited

21 22 to those related to obesity and nutrition, smoking, and  
21 23 diabetes. The department shall submit a draft of the  
21 24 application to the medical assistance projections and  
21 25 assessment council for approval as expeditiously as possible,  
21 26 prior to submission to the centers for Medicare and Medicaid  
21 27 services of the United States department of health and human  
21 28 services. Any grant for which application is made under this  
21 29 subsection shall not require state matching funds. Any  
21 30 federal funding received shall be used in coordination with  
21 31 the purposes of the account for health care transformation  
21 32 pursuant to section 252J.23 and shall be integrated with the  
21 33 IowaCare program pursuant to chapter 252J.

21 34 9. Of the amount appropriated in this section, \$250,000  
21 35 shall be used for a dollar-for-dollar matching grant to a  
22 1 nonprofit organization of medical providers established to  
22 2 provide direction in promoting a health care culture of  
22 3 continuous improvement in quality, patient safety, and value  
22 4 through collaborative efforts by hospitals and physicians.

22 5 10. The department may amend the Medicaid state plan to  
22 6 provide medical assistance reciprocity for children who  
22 7 receive an adoption subsidy who are not eligible for funding  
22 8 under Title IV-E of the federal Social Security Act.

22 9 11. The department shall submit a medical assistance state  
22 10 plan amendment to the centers for Medicare and Medicaid  
22 11 services of the United States department of health and human  
22 12 services that is in substantially the form of the draft  
22 13 submitted by letter dated March 1, 2006, and published on the  
22 14 department website. The department shall adopt emergency  
22 15 rules effective July 1, 2006, to implement the state plan  
22 16 amendment.

22 17 12. The department shall review the impact of the federal  
22 18 Deficit Reduction Act of 2005, Pub. L. No. 109-171, on the  
22 19 state's medical assistance program reimbursement policy for  
22 20 multiple source prescription drug products and the Act's  
22 21 impact on participating pharmacies. The department shall  
22 22 submit a report, including recommendations relating to  
22 23 adjustments to the medical assistance program pharmacy  
22 24 dispensing fee, to the governor and the general assembly no  
22 25 later than January 1, 2007.

22 26 Sec. 11. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There  
22 27 is appropriated from the general fund of the state to the  
22 28 department of human services for the fiscal year beginning  
22 29 July 1, 2006, and ending June 30, 2007, the following amount,  
22 30 or so much thereof as is necessary, to be used for the purpose  
22 31 designated:

22 32 For administration of the health insurance premium payment  
22 33 program, including salaries, support, maintenance, and  
22 34 miscellaneous purposes, and for not more than the following  
22 35 full-time equivalent positions:

|            |      |         |
|------------|------|---------|
| 23 1 ..... | \$   | 634,162 |
| 23 2 ..... | FTEs | 21.00   |

23 3 Sec. 12. MEDICAL CONTRACTS. There is appropriated from  
23 4 the general fund of the state to the department of human  
23 5 services for the fiscal year beginning July 1, 2006, and  
23 6 ending June 30, 2007, the following amount, or so much thereof  
23 7 as is necessary, to be used for the purpose designated:

23 8 For medical contracts, including salaries, support,  
23 9 maintenance, and miscellaneous purposes:

|             |    |            |
|-------------|----|------------|
| 23 10 ..... | \$ | 14,417,985 |
|-------------|----|------------|

23 11 Sec. 13. STATE SUPPLEMENTARY ASSISTANCE.

23 12 1. There is appropriated from the general fund of the  
23 13 state to the department of human services for the fiscal year  
23 14 beginning July 1, 2006, and ending June 30, 2007, the  
23 15 following amount, or so much thereof as is necessary, to be  
23 16 used for the purpose designated:

23 17 For the state supplementary assistance program:

|             |    |            |
|-------------|----|------------|
| 23 18 ..... | \$ | 18,710,335 |
|-------------|----|------------|

23 19 2. The department shall increase the personal needs  
23 20 allowance for residents of residential care facilities by the  
23 21 same percentage and at the same time as federal supplemental  
23 22 security income and federal social security benefits are  
23 23 increased due to a recognized increase in the cost of living.  
23 24 The department may adopt emergency rules to implement this  
23 25 subsection.

23 26 3. If during the fiscal year beginning July 1, 2006, the  
23 27 department projects that state supplementary assistance  
23 28 expenditures for a calendar year will not meet the federal  
23 29 pass-along requirement specified in Title XVI of the federal  
23 30 Social Security Act, section 1618, as codified in 42 U.S.C. }  
23 31 1382g, the department may take actions including but not  
23 32 limited to increasing the personal needs allowance for

23 33 residential care facility residents and making programmatic  
23 34 adjustments or upward adjustments of the residential care  
23 35 facility or in-home health-related care reimbursement rates  
24 1 prescribed in this division of this Act to ensure that federal  
24 2 requirements are met. In addition, the department may make  
24 3 other programmatic and rate adjustments necessary to remain  
24 4 within the amount appropriated in this section while ensuring  
24 5 compliance with federal requirements. The department may  
24 6 adopt emergency rules to implement the provisions of this  
24 7 subsection.

24 8 Sec. 14. CHILDREN'S HEALTH INSURANCE PROGRAM. There is  
24 9 appropriated from the general fund of the state to the  
24 10 department of human services for the fiscal year beginning  
24 11 July 1, 2006, and ending June 30, 2007, the following amount,  
24 12 or so much thereof as is necessary, to be used for the purpose  
24 13 designated:

24 14 For maintenance of the healthy and well kids in Iowa (hawk=  
24 15 i) program pursuant to chapter 514I for receipt of federal  
24 16 financial participation under Title XXI of the federal Social  
24 17 Security Act, which creates the state children's health  
24 18 insurance program:  
24 19 ..... \$ 19,703,715

24 20 Sec. 15. CHILD CARE ASSISTANCE. There is appropriated  
24 21 from the general fund of the state to the department of human  
24 22 services for the fiscal year beginning July 1, 2006, and  
24 23 ending June 30, 2007, the following amount, or so much thereof  
24 24 as is necessary, to be used for the purpose designated:

24 25 For child care programs:  
24 26 ..... \$ 21,801,198

24 27 1. Of the funds appropriated in this section, \$18,850,674  
24 28 shall be used for state child care assistance in accordance  
24 29 with section 237A.13.

24 30 2. Nothing in this section shall be construed or is  
24 31 intended as, or shall imply, a grant of entitlement for  
24 32 services to persons who are eligible for assistance due to an  
24 33 income level consistent with the waiting list requirements of  
24 34 section 237A.13. Any state obligation to provide services  
24 35 pursuant to this section is limited to the extent of the funds  
25 1 appropriated in this section.

25 2 3. Of the funds appropriated in this section, \$525,524 is  
25 3 allocated for the statewide program for child care resource  
25 4 and referral services under section 237A.26. A list of the  
25 5 registered and licensed child care facilities operating in the  
25 6 area served by a child care resource and referral service  
25 7 shall be made available to the families receiving state child  
25 8 care assistance in that area.

25 9 4. Of the funds appropriated in this section, \$1,225,000  
25 10 is allocated for child care quality improvement initiatives  
25 11 including but not limited to development and continuation of a  
25 12 quality rating system.

25 13 5. The department may use any of the funds appropriated in  
25 14 this section as a match to obtain federal funds for use in  
25 15 expanding child care assistance and related programs. For the  
25 16 purpose of expenditures of state and federal child care  
25 17 funding, funds shall be considered obligated at the time  
25 18 expenditures are projected or are allocated to the  
25 19 department's service areas. Projections shall be based on  
25 20 current and projected caseload growth, current and projected  
25 21 provider rates, staffing requirements for eligibility  
25 22 determination and management of program requirements including  
25 23 data systems management, staffing requirements for  
25 24 administration of the program, contractual and grant  
25 25 obligations and any transfers to other state agencies, and  
25 26 obligations for decategorization or innovation projects.

25 27 6. A portion of the state match for the federal child care  
25 28 and development block grant shall be provided through the  
25 29 state general fund appropriation for child development grants  
25 30 and other programs for at-risk children in section 279.51.

25 31 7. Of the funds appropriated in this section, \$1,200,000  
25 32 is transferred to the Iowa empowerment fund to be used for  
25 33 professional development for the system of early care, health,  
25 34 and education.

25 35 Sec. 16. JUVENILE INSTITUTIONS. There is appropriated  
26 1 from the general fund of the state to the department of human  
26 2 services for the fiscal year beginning July 1, 2006, and  
26 3 ending June 30, 2007, the following amounts, or so much  
26 4 thereof as is necessary, to be used for the purposes  
26 5 designated:

26 6 1. For operation of the Iowa juvenile home at Toledo and  
26 7 for salaries, support, maintenance, and for not more than the  
26 8 following full-time equivalent positions:

26 9 ..... \$ 6,667,400  
26 10 ..... FTEs 118.50  
26 11 a. Of the funds appropriated in this subsection, at least  
26 12 \$25,000 is allocated for provision of books or other learning  
26 13 materials and activities associated with the education of  
26 14 children placed at the Iowa juvenile home.  
26 15 b. It is the intent of the general assembly that effective  
26 16 July 1, 2009, placements at the Iowa juvenile home will be  
26 17 limited to females and that placements of boys at the home  
26 18 will be diverted to other options. The department shall  
26 19 utilize a study group to make recommendations on the options  
26 20 for diversion of placements of boys and the study group shall  
26 21 report on or before July 1, 2007, to the persons designated by  
26 22 this division of this Act to receive reports. Leadership for  
26 23 the study group shall be provided by the department of human  
26 24 services. The study group membership shall also include but  
26 25 is not limited to two departmental service area administrators  
26 26 or their designees, a representative of the division of the  
26 27 commission on the status of women of the department of human  
26 28 rights, a member of the council on human services, a  
26 29 departmental division administrator, two representatives of  
26 30 juvenile court services, a representative of the division of  
26 31 criminal and juvenile justice planning of the department of  
26 32 human rights, and two representatives of child welfare service  
26 33 provider agencies. In addition, the study group membership  
26 34 shall include four members of the general assembly so that the  
26 35 majority and minority parties of both chambers are  
27 1 represented. Legislative members are eligible for  
27 2 reimbursement of actual expenses paid under section 2.10.  
27 3 2. For operation of the state training school at Eldora  
27 4 and for salaries, support, maintenance, and for not more than  
27 5 the following full-time equivalent positions:  
27 6 ..... \$ 10,608,148  
27 7 ..... FTEs 196.55  
27 8 Of the funds appropriated in this subsection, at least  
27 9 \$25,000 is allocated for provision of books or other learning  
27 10 materials and activities associated with the education of  
27 11 children placed at the state training school.  
27 12 3. A portion of the moneys appropriated in this section  
27 13 shall be used by the state training school and by the Iowa  
27 14 juvenile home for grants for adolescent pregnancy prevention  
27 15 activities at the institutions in the fiscal year beginning  
27 16 July 1, 2006.  
27 17 Sec. 17. CHILD AND FAMILY SERVICES.  
27 18 1. There is appropriated from the general fund of the  
27 19 state to the department of human services for the fiscal year  
27 20 beginning July 1, 2006, and ending June 30, 2007, the  
27 21 following amount, or so much thereof as is necessary, to be  
27 22 used for the purpose designated:  
27 23 For child and family services:  
27 24 ..... \$ 80,945,373  
27 25 In order to address a reduction of \$5,200,000 from the  
27 26 amount allocated under this appropriation in prior years for  
27 27 purposes of juvenile delinquent graduated sanction services,  
27 28 up to \$5,200,000 of the amount of federal temporary assistance  
27 29 for needy families block grant funding appropriated in this  
27 30 division of this Act for child and family services, shall be  
27 31 made available for purposes of juvenile delinquent graduated  
27 32 sanction services.  
27 33 2. The department may transfer funds appropriated in this  
27 34 section as necessary to pay the nonfederal costs of services  
27 35 reimbursed under the medical assistance program or the family  
28 1 investment program which are provided to children who would  
28 2 otherwise receive services paid under the appropriation in  
28 3 this section. The department may transfer funds appropriated  
28 4 in this section to the appropriations in this division of this  
28 5 Act for general administration and for field operations for  
28 6 resources necessary to implement and operate the services  
28 7 funded in this section.  
28 8 3. a. Of the funds appropriated in this section, up to  
28 9 \$37,084,884 is allocated as the statewide expenditure target  
28 10 under section 232.143 for group foster care maintenance and  
28 11 services.  
28 12 b. If at any time after September 30, 2006, annualization  
28 13 of a service area's current expenditures indicates a service  
28 14 area is at risk of exceeding its group foster care expenditure  
28 15 target under section 232.143 by more than 5 percent, the  
28 16 department and juvenile court services shall examine all group  
28 17 foster care placements in that service area in order to  
28 18 identify those which might be appropriate for termination. In  
28 19 addition, any aftercare services believed to be needed for the

28 20 children whose placements may be terminated shall be  
28 21 identified. The department and juvenile court services shall  
28 22 initiate action to set dispositional review hearings for the  
28 23 placements identified. In such a dispositional review  
28 24 hearing, the juvenile court shall determine whether needed  
28 25 aftercare services are available and whether termination of  
28 26 the placement is in the best interest of the child and the  
28 27 community.

28 28 c. Of the funds allocated in this subsection, \$1,510,661  
28 29 is allocated as the state match funding for 50 highly  
28 30 structured juvenile program beds. If the number of beds  
28 31 provided for in this lettered paragraph is not utilized, the  
28 32 remaining funds allocated may be used for group foster care.  
28 33 4. In accordance with the provisions of section 232.188,  
28 34 the department shall continue the child welfare and juvenile  
28 35 justice funding initiative. Of the funds appropriated in this  
29 1 section, \$2,500,000 is allocated specifically for expenditure  
29 2 through the decategorization service funding pools and  
29 3 governance boards established pursuant to section 232.188. In  
29 4 addition, up to \$1,000,000 of the amount of federal temporary  
29 5 assistance for needy families block grant funding appropriated  
29 6 in this division of this Act for child and family services  
29 7 shall be made available for purposes of the decategorization  
29 8 initiative as provided in this subsection.

29 9 5. A portion of the funds appropriated in this section may  
29 10 be used for emergency family assistance to provide other  
29 11 resources required for a family participating in a family  
29 12 preservation or reunification project to stay together or to  
29 13 be reunified.

29 14 Notwithstanding section 234.35 or any other provision of  
29 15 law to the contrary, for the fiscal year beginning July 1,  
29 16 2006, state funding for shelter care shall be limited to the  
29 17 amount necessary to fund 273 beds that are guaranteed and  
29 18 seven beds that are not guaranteed. The department shall  
29 19 submit an emergency services plan by December 15, 2006, to the  
29 20 persons designated by this division of this Act to receive  
29 21 reports. The plan shall identify crisis intervention and  
29 22 emergency services alternatives to shelter care and shall  
29 23 specify the numbers of shelter beds that are guaranteed and  
29 24 not guaranteed, as determined necessary by the department.

29 25 6. Federal funds received by the state during the fiscal  
29 26 year beginning July 1, 2006, as the result of the expenditure  
29 27 of state funds appropriated during a previous state fiscal  
29 28 year for a service or activity funded under this section, are  
29 29 appropriated to the department to be used as additional  
29 30 funding for services and purposes provided for under this  
29 31 section. Notwithstanding section 8.33, moneys received in  
29 32 accordance with this subsection that remain unencumbered or  
29 33 unobligated at the close of the fiscal year shall not revert  
29 34 to any fund but shall remain available for the purposes  
29 35 designated until the close of the succeeding fiscal year.

30 1 7. Of the funds appropriated in this section, not more  
30 2 than \$442,100 is allocated to provide clinical assessment  
30 3 services as necessary to continue funding of children's  
30 4 rehabilitation services under medical assistance in accordance  
30 5 with federal law and requirements. The funding allocated is  
30 6 the amount projected to be necessary for providing the  
30 7 clinical assessment services.

30 8 8. Of the funds appropriated in this section, \$3,696,285  
30 9 shall be used for protective child care assistance.

30 10 9. Of the funds appropriated in this section, up to  
30 11 \$3,002,844 is allocated for the payment of the expenses of  
30 12 court-ordered services provided to juveniles which are a  
30 13 charge upon the state pursuant to section 232.141, subsection

30 14 4. Of the amount allocated in this subsection, up to  
30 15 \$1,505,161 shall be made available to provide school-based  
30 16 supervision of children adjudicated under chapter 232, of  
30 17 which not more than \$15,000 may be used for the purpose of  
30 18 training. A portion of the cost of each school-based liaison  
30 19 officer shall be paid by the school district or other funding  
30 20 source as approved by the chief juvenile court officer.

30 21 a. Notwithstanding section 232.141 or any other provision  
30 22 of law to the contrary, the amount allocated in this  
30 23 subsection shall be distributed to the judicial districts as  
30 24 determined by the state court administrator. The state court  
30 25 administrator shall make the determination of the distribution  
30 26 amounts on or before June 15, 2006.

30 27 b. Notwithstanding chapter 232 or any other provision of  
30 28 law to the contrary, a district or juvenile court shall not  
30 29 order any service which is a charge upon the state pursuant to  
30 30 section 232.141 if there are insufficient court-ordered

30 31 services funds available in the district court distribution  
30 32 amount to pay for the service. The chief juvenile court  
30 33 officer shall encourage use of the funds allocated in this  
30 34 subsection such that there are sufficient funds to pay for all  
30 35 court-related services during the entire year. The chief  
31 1 juvenile court officers shall attempt to anticipate potential  
31 2 surpluses and shortfalls in the distribution amounts and shall  
31 3 cooperatively request the state court administrator to  
31 4 transfer funds between the districts' distribution amounts as  
31 5 prudent.

31 6 c. Notwithstanding any provision of law to the contrary, a  
31 7 district or juvenile court shall not order a county to pay for  
31 8 any service provided to a juvenile pursuant to an order  
31 9 entered under chapter 232 which is a charge upon the state  
31 10 under section 232.141, subsection 4.

31 11 d. Of the funds allocated in this subsection, not more  
31 12 than \$100,000 may be used by the judicial branch for  
31 13 administration of the requirements under this subsection and  
31 14 for travel associated with court-ordered placements which are  
31 15 a charge upon the state pursuant to section 232.141,  
31 16 subsection 4.

31 17 10. Notwithstanding 2000 Iowa Acts, chapter 1228, section  
31 18 43, the department may operate a subsidized guardianship  
31 19 program if the United States department of health and human  
31 20 services approves a waiver under Title IV-E of the federal  
31 21 Social Security Act or the federal Social Security Act is  
31 22 amended to allow Title IV-E funding to be used for subsidized  
31 23 guardianship, and the subsidized guardianship program can be  
31 24 operated without loss of Title IV-E funds.

31 25 11. Of the funds appropriated in this section, \$1,000,000  
31 26 shall be transferred to the Iowa department of public health  
31 27 to be used for the child protection center grant program in  
31 28 accordance with section 135.118.

31 29 12. Of the funds appropriated in this section, \$148,000  
31 30 shall be used for funding of one or more child welfare  
31 31 diversion and mediation pilot projects as provided in 2004  
31 32 Iowa Acts, chapter 1130, section 1.

31 33 13. If the department receives federal approval to  
31 34 implement a waiver under Title IV-E of the federal Social  
31 35 Security Act to enable providers to serve children who remain  
32 1 in the children's families and communities, for purposes of  
32 2 eligibility under the medical assistance program children who  
32 3 participate in the waiver shall be considered to be placed in  
32 4 foster care.

32 5 14. a. Funds appropriated in this section may be used to  
32 6 provide continued support for young adults who are age  
32 7 eighteen and graduate from high school or complete a  
32 8 graduation equivalency diploma after May 1, 2006, have a self=  
32 9 sufficiency plan, and are continuing their education, working,  
32 10 or are in work training. The department may amend existing  
32 11 contracts to provide the additional services to this  
32 12 population. The department may adopt emergency rules to  
32 13 implement the provisions of this subsection.

32 14 b. Of the funds appropriated in this section, \$854,012 is  
32 15 allocated for the program described in this subsection for  
32 16 young adults who leave foster care services at age 18 provided  
32 17 legislation is enacted by the Eighty-first General Assembly,  
32 18 2006 Session, to codify requirements for the program. If  
32 19 enacted, the program shall commence as early as possible in  
32 20 the fiscal year. The department may adopt emergency rules to  
32 21 implement the program.

32 22 15. Of the funds appropriated in this section, \$50,000 is  
32 23 allocated for a grant to expand an existing program operated  
32 24 by a nonprofit organization providing family treatment and  
32 25 community education services in a nine-county area.

32 26 16. Of the funds appropriated in this section, \$1,000,000  
32 27 shall be used for juvenile drug courts to replace lost federal  
32 28 grants and to expand juvenile drug courts. The amount  
32 29 allocated in this subsection shall be distributed as follows:

32 30 a. To the judicial branch for salaries to assist with the  
32 31 operation of juvenile drug court programs operated in the  
32 32 following jurisdictions:

32 33 (1) Marshall county:  
32 34 ..... \$ 60,000  
32 35 (2) Woodbury county:  
33 1 ..... \$ 120,254  
33 2 (3) Polk county:  
33 3 ..... \$ 187,434  
33 4 (4) For establishing a program in the eighth judicial  
33 5 district and in another judicial district:  
33 6 ..... \$ 130,000

33 7 b. For court-ordered services to support substance abuse  
33 8 and related services provided to the juveniles participating  
33 9 in the juvenile drug court programs listed in paragraph "a"  
33 10 and the juveniles' families:  
33 11 ..... \$ 502,312  
33 12 The state court administrator shall allocate the funding  
33 13 designated in this paragraph among the programs.  
33 14 17. Of the funds appropriated in this section, \$100,000 is  
33 15 allocated to establish a multidimensional treatment level  
33 16 foster care program provided House File 2567 or other  
33 17 legislation requiring the department to establish the program  
33 18 is enacted by the Eighty-first General Assembly, 2006 Session.  
33 19 18. During the fiscal year beginning July 1, 2006, the  
33 20 department shall continue funding one or more child welfare  
33 21 diversion and mediation pilot projects implemented pursuant to  
33 22 2004 Iowa Acts, chapter 1130, section 1. The department shall  
33 23 do all of the following in continuing the pilot projects:  
33 24 a. If an agency providing mediation services under the  
33 25 pilot project has not demonstrated the ability to deliver  
33 26 services throughout the entire fiscal year within the funding  
33 27 allocated, the department shall not renew the contract with  
33 28 the agency.  
33 29 b. If a contract is not renewed as provided in paragraph  
33 30 "a", the department shall select a replacement provider agency  
33 31 with the experience and capacity to provide mediation services  
33 32 in the county or counties served by the provider agency whose  
33 33 contract was not renewed. Whenever possible in selecting a  
33 34 replacement provider agency, the department shall select a  
33 35 provider agency whose primary operations office is located  
34 1 within the largest county served by the pilot project.  
34 2 19. Of the funds appropriated in this section, \$230,000  
34 3 shall be used for a grant to a nonprofit human services  
34 4 organization providing services to individuals and families in  
34 5 multiple locations in southwest Iowa and Nebraska for support  
34 6 of a project providing immediate, sensitive support and  
34 7 forensic interviews, medical exams, needs assessments and  
34 8 referrals for victims of child abuse and their nonoffending  
34 9 family members.  
34 10 Sec. 18. ADOPTION SUBSIDY.  
34 11 1. There is appropriated from the general fund of the  
34 12 state to the department of human services for the fiscal year  
34 13 beginning July 1, 2006, and ending June 30, 2007, the  
34 14 following amount, or so much thereof as is necessary, to be  
34 15 used for the purpose designated:  
34 16 For adoption subsidy payments and services:  
34 17 ..... \$ 31,446,063  
34 18 2. The department may transfer funds appropriated in this  
34 19 section to the appropriations in this Act for child and family  
34 20 services to be used for adoptive family recruitment and other  
34 21 services to achieve adoption.  
34 22 3. Federal funds received by the state during the fiscal  
34 23 year beginning July 1, 2006, as the result of the expenditure  
34 24 of state funds during a previous state fiscal year for a  
34 25 service or activity funded under this section, are  
34 26 appropriated to the department to be used as additional  
34 27 funding for the services and activities funded under this  
34 28 section. Notwithstanding section 8.33, moneys received in  
34 29 accordance with this subsection that remain unencumbered or  
34 30 unobligated at the close of the fiscal year shall not revert  
34 31 to any fund but shall remain available for expenditure for the  
34 32 purposes designated until the close of the succeeding fiscal  
34 33 year.  
34 34 Sec. 19. JUVENILE DETENTION HOME FUND. Moneys deposited  
34 35 in the juvenile detention home fund created in section 232.142  
35 1 during the fiscal year beginning July 1, 2006, and ending June  
35 2 30, 2007, are appropriated to the department of human services  
35 3 for the fiscal year beginning July 1, 2006, and ending June  
35 4 30, 2007, for distribution as follows:  
35 5 1. An amount equal to 10 percent of the costs of the  
35 6 establishment, improvement, operation, and maintenance of  
35 7 county or multicounty juvenile detention homes in the fiscal  
35 8 year beginning July 1, 2005. Moneys appropriated for  
35 9 distribution in accordance with this subsection shall be  
35 10 allocated among eligible detention homes, prorated on the  
35 11 basis of an eligible detention home's proportion of the costs  
35 12 of all eligible detention homes in the fiscal year beginning  
35 13 July 1, 2005. Notwithstanding section 232.142, subsection 3,  
35 14 the financial aid payable by the state under that provision  
35 15 for the fiscal year beginning July 1, 2006, shall be limited  
35 16 to the amount appropriated for the purposes of this  
35 17 subsection.

2. For renewal of a grant to a county with a population  
 between 189,000 and 196,000 in the latest preceding certified  
 federal census for implementation of the county's runaway  
 treatment plan under section 232.195:  
 ..... \$ 80,000

3. For continuation and expansion of the community  
 partnership for child protection sites:  
 ..... \$ 318,000

4. For continuation of the department's minority youth and  
 family projects under the redesign of the child welfare  
 system:  
 ..... \$ 375,000

5. For funding of the state match for the federal  
 substance abuse and mental health services administration  
 (SAMSHA) system of care grant:  
 ..... \$ 67,600

If the federal grant is not approved on or before January  
 1, 2007, the amount designated in this subsection shall be  
 allocated as provided in subsection 6.

6. The remainder for additional allocations to county or  
 multicounty juvenile detention homes, in accordance with the  
 distribution requirements of subsection 1.

Sec. 20. FAMILY SUPPORT SUBSIDY PROGRAM. There is  
 appropriated from the general fund of the state to the  
 department of human services for the fiscal year beginning  
 July 1, 2006, and ending June 30, 2007, the following amount,  
 or so much thereof as is necessary, to be used for the purpose  
 designated:  
 For the family support subsidy program:  
 ..... \$ 1,936,434

1. The department shall use at least \$333,312 of the  
 moneys appropriated in this section to continue the children=  
 at-home program in current counties, and if funds are  
 available after exhausting the family support subsidy waiting  
 list, to expand the program to additional counties. Not more  
 than \$20,000 of the amount allocated in this subsection shall  
 be used for administrative costs.

2. Notwithstanding contrary provisions of section 225C.38,  
 subsection 1, the monthly family support subsidy payment  
 amount for the fiscal year beginning July 1, 2006, shall be  
 determined by the department in consultation with the council  
 created in section 225C.48, not to exceed the amount in effect  
 on June 30, 2006.

Sec. 21. CONNER DECREE. There is appropriated from the  
 general fund of the state to the department of human services  
 for the fiscal year beginning July 1, 2006, and ending June  
 30, 2007, the following amount, or so much thereof as is  
 necessary, to be used for the purpose designated:  
 For building community capacity through the coordination  
 and provision of training opportunities in accordance with the  
 consent decree of Conner v. Branstad, No. 4=86=CV=30871(S.D.  
 Iowa, July 14, 1994):  
 ..... \$ 42,623

Sec. 22. MENTAL HEALTH INSTITUTES. There is appropriated  
 from the general fund of the state to the department of human  
 services for the fiscal year beginning July 1, 2006, and  
 ending June 30, 2007, the following amounts, or so much  
 thereof as is necessary, to be used for the purposes  
 designated:

1. For the state mental health institute at Cherokee for  
 salaries, support, maintenance, and miscellaneous purposes and  
 for not more than the following full-time equivalent  
 positions:  
 ..... \$ 4,893,698  
 ..... FTEs 215.00

Of the funds appropriated in this subsection, at least  
 \$5,000 is allocated for provision of books or other learning  
 materials and activities associated with the education of  
 children placed in facilities operated at the state mental  
 health institute at Cherokee.

2. For the state mental health institute at Clarinda for  
 salaries, support, maintenance, and miscellaneous purposes and  
 for not more than the following full-time equivalent  
 positions:  
 ..... \$ 6,179,344  
 ..... FTEs 101.15

3. For the state mental health institute at Independence  
 for salaries, support, maintenance, and miscellaneous purposes  
 and for not more than the following full-time equivalent  
 positions:  
 ..... \$ 9,006,899



37 29 ..... FTEs 286.40  
 37 30 Of the funds appropriated in this subsection, at least  
 37 31 \$5,000 is allocated for provision of books or other learning  
 37 32 materials and activities associated with the education of  
 37 33 children placed in facilities located at the state mental  
 37 34 health institute at Independence.  
 37 35 4. For the state mental health institute at Mount Pleasant  
 38 1 for salaries, support, maintenance, and miscellaneous purposes  
 38 2 and for not more than the following full-time equivalent  
 38 3 positions:  
 38 4 ..... \$ 1,046,074  
 38 5 ..... FTEs 102.84  
 38 6 The department shall implement a new 20-bed substance abuse  
 38 7 treatment unit beginning October 1, 2006.  
 38 8 Sec. 23. STATE RESOURCE CENTERS. There is appropriated  
 38 9 from the general fund of the state to the department of human  
 38 10 services for the fiscal year beginning July 1, 2006, and  
 38 11 ending June 30, 2007, the following amounts, or so much  
 38 12 thereof as is necessary, to be used for the purposes  
 38 13 designated:  
 38 14 1. For the state resource center at Glenwood for salaries,  
 38 15 support, maintenance, and miscellaneous purposes:  
 38 16 ..... \$ 14,006,583  
 38 17 2. For the state resource center at Woodward for salaries,  
 38 18 support, maintenance, and miscellaneous purposes:  
 38 19 ..... \$ 8,590,761  
 38 20 3. The department may continue to bill for state resource  
 38 21 center services utilizing a scope of services approach used  
 38 22 for private providers of ICFMR services, in a manner which  
 38 23 does not shift costs between the medical assistance program,  
 38 24 counties, or other sources of funding for the state resource  
 38 25 centers.  
 38 26 4. The state resource centers may expand the time limited  
 38 27 assessment and respite services during the fiscal year.  
 38 28 5. If the department's administration and the department  
 38 29 of management concur with a finding by a state resource  
 38 30 center's superintendent that projected revenues can reasonably  
 38 31 be expected to pay the salary and support costs for a new  
 38 32 employee position, or that such costs for adding a particular  
 38 33 number of new positions for the fiscal year would be less than  
 38 34 the overtime costs if new positions would not be added, the  
 38 35 superintendent may add the new position or positions. If the  
 39 1 vacant positions available to a resource center do not include  
 39 2 the position classification desired to be filled, the state  
 39 3 resource center's superintendent may reclassify any vacant  
 39 4 position as necessary to fill the desired position. The  
 39 5 superintendents of the state resource centers may, by mutual  
 39 6 agreement, pool vacant positions and position classifications  
 39 7 during the course of the fiscal year in order to assist one  
 39 8 another in filling necessary positions.  
 39 9 6. If existing capacity limitations are reached in  
 39 10 operating units, a waiting list is in effect for a service or  
 39 11 a special need for which a payment source or other funding is  
 39 12 available for the service or to address the special need, and  
 39 13 facilities for the service or to address the special need can  
 39 14 be provided within the available payment source or other  
 39 15 funding, the superintendent of a state resource center may  
 39 16 authorize opening not more than two units or other facilities  
 39 17 and to begin implementing the service or addressing the  
 39 18 special need during fiscal year 2006=2007.  
 39 19 Sec. 24. MI/MR/DD STATE CASES.  
 39 20 1. There is appropriated from the general fund of the  
 39 21 state to the department of human services for the fiscal year  
 39 22 beginning July 1, 2006, and ending June 30, 2007, the  
 39 23 following amount, or so much thereof as is necessary, to be  
 39 24 used for the purpose designated:  
 39 25 For purchase of local services for persons with mental  
 39 26 illness, mental retardation, and developmental disabilities  
 39 27 where the client has no established county of legal  
 39 28 settlement:  
 39 29 ..... \$ 12,286,619  
 39 30 2. For the fiscal year beginning July 1, 2006, and ending  
 39 31 June 30, 2007, \$200,000 is allocated for state cases from the  
 39 32 amounts appropriated from the fund created in section 8.41 to  
 39 33 the department of human services from the funds received from  
 39 34 the federal government under 42 U.S.C., chapter 6A, subchapter  
 39 35 XVII, relating to the community mental health center block  
 40 1 grant, for the federal fiscal years beginning October 1, 2004,  
 40 2 and ending September 30, 2005, beginning October 1, 2005, and  
 40 3 ending September 30, 2006, and beginning October 1, 2006, and  
 40 4 ending September 30, 2007. The allocation made in this

40 5 subsection shall be made prior to any other distribution  
 40 6 allocation of the appropriated federal funds.  
 40 7 Sec. 25. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES ==  
 40 8 COMMUNITY SERVICES FUND. There is appropriated from the  
 40 9 general fund of the state to the mental health and  
 40 10 developmental disabilities community services fund created in  
 40 11 section 225C.7 for the fiscal year beginning July 1, 2006, and  
 40 12 ending June 30, 2007, the following amount, or so much thereof  
 40 13 as is necessary, to be used for the purpose designated:  
 40 14 For mental health and developmental disabilities community  
 40 15 services in accordance with this division of this Act:  
 40 16 ..... \$ 18,017,890  
 40 17 1. Of the funds appropriated in this section, \$17,727,890  
 40 18 shall be allocated to counties for funding of community-based  
 40 19 mental health and developmental disabilities services. The  
 40 20 moneys shall be allocated to a county as follows:  
 40 21 a. Fifty percent based upon the county's proportion of the  
 40 22 state's population of persons with an annual income which is  
 40 23 equal to or less than the poverty guideline established by the  
 40 24 federal office of management and budget.  
 40 25 b. Fifty percent based upon the county's proportion of the  
 40 26 state's general population.  
 40 27 2. a. A county shall utilize the funding the county  
 40 28 receives pursuant to subsection 1 for services provided to  
 40 29 persons with a disability, as defined in section 225C.2.  
 40 30 However, no more than 50 percent of the funding shall be used  
 40 31 for services provided to any one of the service populations.  
 40 32 b. A county shall use at least 50 percent of the funding  
 40 33 the county receives under subsection 1 for contemporary  
 40 34 services provided to persons with a disability, as described  
 40 35 in rules adopted by the department.  
 41 1 3. Of the funds appropriated in this section, \$30,000  
 41 2 shall be used to support the Iowa compass program providing  
 41 3 computerized information and referral services for Iowans with  
 41 4 disabilities and their families.  
 41 5 4. a. Funding appropriated for purposes of the federal  
 41 6 social services block grant is allocated for distribution to  
 41 7 counties for local purchase of services for persons with  
 41 8 mental illness or mental retardation or other developmental  
 41 9 disability.  
 41 10 b. The funds allocated in this subsection shall be  
 41 11 expended by counties in accordance with the county's approved  
 41 12 county management plan. A county without an approved county  
 41 13 management plan shall not receive allocated funds until the  
 41 14 county's management plan is approved.  
 41 15 c. The funds provided by this subsection shall be  
 41 16 allocated to each county as follows:  
 41 17 (1) Fifty percent based upon the county's proportion of  
 41 18 the state's population of persons with an annual income which  
 41 19 is equal to or less than the poverty guideline established by  
 41 20 the federal office of management and budget.  
 41 21 (2) Fifty percent based upon the amount provided to the  
 41 22 county for local purchase of services in the preceding fiscal  
 41 23 year.  
 41 24 5. A county is eligible for funds under this section if  
 41 25 the county qualifies for a state payment as described in  
 41 26 section 331.439.  
 41 27 6. Of the funds appropriated in this section, \$260,000 is  
 41 28 allocated to the department for development of an assessment  
 41 29 process for use beginning in a subsequent fiscal year as  
 41 30 authorized specifically by a statute to be enacted in a  
 41 31 subsequent fiscal year, determining on a consistent basis the  
 41 32 needs and capacities of persons seeking or receiving mental  
 41 33 health, mental retardation, developmental disabilities, or  
 41 34 brain injury services that are paid for in whole or in part by  
 41 35 the state or a county. The assessment process shall be  
 42 1 developed with the involvement of counties and the mental  
 42 2 health, mental retardation, developmental disabilities, and  
 42 3 brain injury commission.  
 42 4 Sec. 26. SEXUALLY VIOLENT PREDATORS.  
 42 5 1. There is appropriated from the general fund of the  
 42 6 state to the department of human services for the fiscal year  
 42 7 beginning July 1, 2006, and ending June 30, 2007, the  
 42 8 following amount, or so much thereof as is necessary, to be  
 42 9 used for the purpose designated:  
 42 10 For costs associated with the commitment and treatment of  
 42 11 sexually violent predators in the unit located at the state  
 42 12 mental health institute at Cherokee, including costs of legal  
 42 13 services and other associated costs, including salaries,  
 42 14 support, maintenance, miscellaneous purposes, and for not more  
 42 15 than the following full-time equivalent positions:

42 16 ..... \$ 4,750,704  
 42 17 ..... FTEs 73.66  
 42 18 2. Unless specifically prohibited by law, if the amount  
 42 19 charged provides for recoupment of at least the entire amount  
 42 20 of direct and indirect costs, the department of human services  
 42 21 may contract with other states to provide care and treatment  
 42 22 of persons placed by the other states at the unit for sexually  
 42 23 violent predators at Cherokee. The moneys received under such  
 42 24 a contract shall be considered to be repayment receipts and  
 42 25 used for the purposes of the appropriation made in this  
 42 26 section.  
 42 27 Sec. 27. FIELD OPERATIONS. There is appropriated from the  
 42 28 general fund of the state to the department of human services  
 42 29 for the fiscal year beginning July 1, 2006, and ending June  
 42 30 30, 2007, the following amount, or so much thereof as is  
 42 31 necessary, to be used for the purposes designated:  
 42 32 For field operations, including salaries, support,  
 42 33 maintenance, and miscellaneous purposes and for not more than  
 42 34 the following full-time equivalent positions:  
 42 35 ..... \$ 57,044,250  
 43 1 ..... FTEs 1,897.87  
 43 2 Priority in filling full-time equivalent positions shall be  
 43 3 given to those positions related to child protection services.  
 43 4 The full-time equivalent positions authorized in this section  
 43 5 include clinical consultation positions relating to child  
 43 6 protection services.  
 43 7 Sec. 28. GENERAL ADMINISTRATION. There is appropriated  
 43 8 from the general fund of the state to the department of human  
 43 9 services for the fiscal year beginning July 1, 2006, and  
 43 10 ending June 30, 2007, the following amount, or so much thereof  
 43 11 as is necessary, to be used for the purpose designated:  
 43 12 For general administration, including salaries, support,  
 43 13 maintenance, and miscellaneous purposes and for not more than  
 43 14 the following full-time equivalent positions:  
 43 15 ..... \$ 14,528,679  
 43 16 ..... FTEs 311.00  
 43 17 1. Of the funds appropriated in this section, \$57,000 is  
 43 18 allocated for the prevention of disabilities policy council  
 43 19 established in section 225B.3.  
 43 20 2. Of the funds appropriated in this section, \$30,000 is  
 43 21 allocated to the department of human services for a statewide  
 43 22 coordinator for the program of all-inclusive care for the  
 43 23 elderly as defined in section 249H.3. The coordinator shall  
 43 24 work in collaboration with the department of elder affairs in  
 43 25 carrying out the coordinator's duties.  
 43 26 3. Of the funds appropriated in this section, \$500,000 is  
 43 27 allocated for salary and technical assistance expenses for the  
 43 28 department to reestablish a separate division to which the  
 43 29 appropriate departmental duties addressing mental health,  
 43 30 mental retardation, developmental disabilities, and brain  
 43 31 injury services shall be assigned.  
 43 32 Sec. 29. VOLUNTEERS. There is appropriated from the  
 43 33 general fund of the state to the department of human services  
 43 34 for the fiscal year beginning July 1, 2006, and ending June  
 43 35 30, 2007, the following amount, or so much thereof as is  
 44 1 necessary, to be used for the purpose designated:  
 44 2 For development and coordination of volunteer services:  
 44 3 ..... \$ 109,568  
 44 4 Sec. 30. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
 44 5 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE  
 44 6 DEPARTMENT OF HUMAN SERVICES.  
 44 7 1. a. (1) For the fiscal year beginning July 1, 2006,  
 44 8 nursing facilities shall be reimbursed at 100 percent of the  
 44 9 modified price-based case-mix reimbursement rate. Nursing  
 44 10 facilities reimbursed under the medical assistance program  
 44 11 shall submit annual cost reports and additional documentation  
 44 12 as required by rules adopted by the department.  
 44 13 (2) For the fiscal year beginning July 1, 2006, the total  
 44 14 state funding amount for the nursing facility budget shall not  
 44 15 exceed \$177,701,264. The department, in cooperation with  
 44 16 nursing facility representatives, shall review projections for  
 44 17 state funding expenditures for reimbursement of nursing  
 44 18 facilities on a quarterly basis and the department shall  
 44 19 determine if an adjustment to the medical assistance  
 44 20 reimbursement rate is necessary in order to provide  
 44 21 reimbursement within the state funding amount. Any temporary  
 44 22 enhanced federal financial participation that may become  
 44 23 available to the Iowa medical assistance program during the  
 44 24 fiscal year shall not be used in projecting the nursing  
 44 25 facility budget. Notwithstanding 2001 Iowa Acts, chapter 192,  
 44 26 section 4, subsection 2, paragraph "c", and subsection 3,

44 27 paragraph "a", subparagraph (2), if the state funding  
44 28 expenditures for the nursing facility budget for the fiscal  
44 29 year beginning July 1, 2006, are projected to exceed the  
44 30 amount specified in this subparagraph, the department shall  
44 31 adjust the skilled nursing facility market basket inflation  
44 32 factor of the reimbursement rate calculation for only the  
44 33 nursing facilities reimbursed under the case=mix reimbursement  
44 34 system to maintain expenditures of the nursing facility budget  
44 35 within the specified amount.

45 1 (3) For the fiscal year beginning July 1, 2006, the  
45 2 patient=day=weighted medians used in rate setting for nursing  
45 3 facilities shall be recalculated and the rates adjusted to  
45 4 provide an increase in nursing facility rates not to exceed  
45 5 \$162,315,695. The skilled nursing facility market basket  
45 6 inflation factor applied from the mid=point of the cost report  
45 7 to the first day of the state fiscal year rate period shall  
45 8 not be less than zero percent.

45 9 b. For the fiscal year beginning July 1, 2006, the  
45 10 department shall reimburse pharmacy dispensing fees using a  
45 11 single rate of \$4.52 per prescription, or the pharmacy's usual  
45 12 and customary fee, whichever is lower.

45 13 c. For the fiscal year beginning July 1, 2006,  
45 14 reimbursement rates for inpatient and outpatient hospital  
45 15 services shall be increased by 3 percent over the rates in  
45 16 effect on June 30, 2006. The department shall continue the  
45 17 outpatient hospital reimbursement system based upon ambulatory  
45 18 patient groups implemented pursuant to 1994 Iowa Acts, chapter  
45 19 1186, section 25, subsection 1, paragraph "f". In addition,  
45 20 the department shall continue the revised medical assistance  
45 21 payment policy implemented pursuant to that paragraph to  
45 22 provide reimbursement for costs of screening and treatment  
45 23 provided in the hospital emergency room if made pursuant to  
45 24 the prospective payment methodology developed by the  
45 25 department for the payment of outpatient services provided  
45 26 under the medical assistance program. Any rebasing of  
45 27 hospital inpatient or outpatient rates shall not increase  
45 28 total payments for inpatient and outpatient services beyond  
45 29 the percentage increase provided in this paragraph.

45 30 d. For the fiscal year beginning July 1, 2006,  
45 31 reimbursement rates for rural health clinics, hospices,  
45 32 independent laboratories, and acute mental hospitals shall be  
45 33 increased in accordance with increases under the federal  
45 34 Medicare program or as supported by their Medicare audited  
45 35 costs.

46 1 e. (1) For the fiscal year beginning July 1, 2006,  
46 2 reimbursement rates for home health agencies shall be  
46 3 increased by 3 percent over the rates in effect on June 30,  
46 4 2006, not to exceed a home health agency's actual allowable  
46 5 cost.

46 6 (2) The department shall establish a fixed=fee  
46 7 reimbursement schedule for home health agencies under the  
46 8 medical assistance program beginning July 1, 2007.

46 9 f. For the fiscal year beginning July 1, 2006, federally  
46 10 qualified health centers shall receive cost=based  
46 11 reimbursement for 100 percent of the reasonable costs for the  
46 12 provision of services to recipients of medical assistance.

46 13 g. Beginning July 1, 2006, the reimbursement rates for  
46 14 dental services shall be increased by 3 percent over the rates  
46 15 in effect on June 30, 2006.

46 16 h. Beginning July 1, 2006, the reimbursement rates for  
46 17 community mental health centers shall be increased by 3  
46 18 percent over the rates in effect on June 30, 2006.

46 19 i. For the fiscal year beginning July 1, 2006, the maximum  
46 20 reimbursement rate for psychiatric medical institutions for  
46 21 children shall be \$160.71 per day.

46 22 j. For the fiscal year beginning July 1, 2006, unless  
46 23 otherwise specified in this Act, all noninstitutional medical  
46 24 assistance provider reimbursement rates shall be increased by  
46 25 3 percent over the rates in effect on June 30, 2006, except  
46 26 for area education agencies, local education agencies, infant  
46 27 and toddler services providers, and those providers whose  
46 28 rates are required to be determined pursuant to section  
46 29 249A.20.

46 30 k. Notwithstanding section 249A.20, for the fiscal year  
46 31 beginning July 1, 2006, the average reimbursement rate for  
46 32 health care providers eligible for use of the federal Medicare  
46 33 resource=based relative value scale reimbursement methodology  
46 34 under that section shall be increased by 3 percent over the  
46 35 rate in effect on June 30, 2006; however, this rate shall not  
47 1 exceed the maximum level authorized by the federal government.

47 2 l. Beginning July 1, 2006, the department shall increase

47 3 the personal needs allowance under the medical assistance  
47 4 program which may be retained by a resident of a nursing  
47 5 facility to fifty dollars.

47 6 2. For the fiscal year beginning July 1, 2006, the  
47 7 reimbursement rate for residential care facilities shall not  
47 8 be less than the minimum payment level as established by the  
47 9 federal government to meet the federally mandated maintenance  
47 10 of effort requirement. The flat reimbursement rate for  
47 11 facilities electing not to file semiannual cost reports shall  
47 12 not be less than the minimum payment level as established by  
47 13 the federal government to meet the federally mandated  
47 14 maintenance of effort requirement.

47 15 3. For the fiscal year beginning July 1, 2006, the  
47 16 reimbursement rate for providers reimbursed under the in=  
47 17 home=related care program shall not be less than the minimum  
47 18 payment level as established by the federal government to meet  
47 19 the federally mandated maintenance of effort requirement.

47 20 4. Unless otherwise directed in this section, when the  
47 21 department's reimbursement methodology for any provider  
47 22 reimbursed in accordance with this section includes an  
47 23 inflation factor, this factor shall not exceed the amount by  
47 24 which the consumer price index for all urban consumers  
47 25 increased during the calendar year ending December 31, 2002.

47 26 5. For the fiscal year beginning July 1, 2006, the foster  
47 27 family basic daily maintenance rate paid in accordance with  
47 28 section 234.38 and the maximum adoption subsidy rate for  
47 29 children ages 0 through 5 years shall be \$15.31, the rate for  
47 30 children ages 6 through 11 years shall be \$15.99, the rate for  
47 31 children ages 12 through 15 years shall be \$17.57, and the  
47 32 rate for children ages 16 and older shall be \$17.73.

47 33 6. For the fiscal year beginning July 1, 2006, the maximum  
47 34 reimbursement rates for social service providers shall be  
47 35 increased by 3 percent over the rates in effect on June 30,  
48 1 2006, or to the provider's actual and allowable cost plus  
48 2 inflation for each service, whichever is less. The rates may  
48 3 also be adjusted under any of the following circumstances:

48 4 a. If a new service was added after June 30, 2006, the  
48 5 initial reimbursement rate for the service shall be based upon  
48 6 actual and allowable costs.

48 7 b. If a social service provider loses a source of income  
48 8 used to determine the reimbursement rate for the provider, the  
48 9 provider's reimbursement rate may be adjusted to reflect the  
48 10 loss of income, provided that the lost income was used to  
48 11 support actual and allowable costs of a service purchased  
48 12 under a purchase of service contract.

48 13 7. The group foster care reimbursement rates paid for  
48 14 placement of children out of state shall be calculated  
48 15 according to the same rate-setting principles as those used  
48 16 for in-state providers unless the director of human services  
48 17 or the director's designee determines that appropriate care  
48 18 cannot be provided within the state. The payment of the daily  
48 19 rate shall be based on the number of days in the calendar  
48 20 month in which service is provided.

48 21 8. For the fiscal year beginning July 1, 2006, the  
48 22 reimbursement rates for rehabilitative treatment and support  
48 23 services providers shall be increased by 3 percent over the  
48 24 rates in effect on June 30, 2006.

48 25 9. a. For the fiscal year beginning July 1, 2006, the  
48 26 combined service and maintenance components of the  
48 27 reimbursement rate paid for shelter care services purchased  
48 28 under a contract shall be based on the financial and  
48 29 statistical report submitted to the department. The maximum  
48 30 reimbursement rate shall be \$88.79 per day. The department  
48 31 shall reimburse a shelter care provider at the provider's  
48 32 actual and allowable unit cost, plus inflation, not to exceed  
48 33 the maximum reimbursement rate.

48 34 b. Notwithstanding section 232.141, subsection 8, for the  
48 35 fiscal year beginning July 1, 2006, the amount of the  
49 1 statewide average of the actual and allowable rates for  
49 2 reimbursement of juvenile shelter care homes that is utilized  
49 3 for the limitation on recovery of unpaid costs shall be  
49 4 increased by \$2.59 over the amount in effect for this purpose  
49 5 in the preceding fiscal year.

49 6 10. For the fiscal year beginning July 1, 2006, the  
49 7 department shall calculate reimbursement rates for  
49 8 intermediate care facilities for persons with mental  
49 9 retardation at the 80th percentile.

49 10 11. For the fiscal year beginning July 1, 2006, effective  
49 11 January 1, 2007, for child care providers reimbursed under the  
49 12 state child care assistance program, the department shall set  
49 13 provider reimbursement rates based on the rate reimbursement

49 14 survey completed in December 2004. The department shall set  
49 15 rates in a manner so as to provide incentives for a  
49 16 nonregistered provider to become registered.

49 17 12. For the fiscal year beginning July 1, 2006,  
49 18 reimbursements for providers reimbursed by the department of  
49 19 human services may be modified if appropriated funding is  
49 20 allocated for that purpose from the senior living trust fund  
49 21 created in section 249H.4, or as specified in appropriations  
49 22 from the healthy Iowans tobacco trust created in section  
49 23 12.65.

49 24 13. The department shall apply the three percent  
49 25 reimbursement rate increase prescribed for specified providers  
49 26 for the fiscal year beginning July 1, 2005, pursuant to 2005  
49 27 Iowa Acts, chapter 175, separately from the three percent  
49 28 reimbursement rate increase prescribed for specified providers  
49 29 for the fiscal year beginning July 1, 2006, under this Act.

49 30 14. The department shall adopt rules pursuant to chapter  
49 31 17A to provide reimbursement for covered services provided by  
49 32 psychology interns and psychology residents to recipients of  
49 33 medical assistance, subject to limitations and exclusions the  
49 34 department finds necessary on the basis of federal laws and  
49 35 regulations.

50 1 15. The department may adopt emergency rules to implement  
50 2 this section.

50 3 Sec. 31. EMERGENCY RULES. If specifically authorized by a  
50 4 provision of this division of this Act, the department of  
50 5 human services or the mental health, mental retardation,  
50 6 developmental disabilities, and brain injury commission may  
50 7 adopt administrative rules under section 17A.4, subsection 2,  
50 8 and section 17A.5, subsection 2, paragraph "b", to implement  
50 9 the provisions and the rules shall become effective  
50 10 immediately upon filing or on a later effective date specified  
50 11 in the rules, unless the effective date is delayed by the  
50 12 administrative rules review committee. Any rules adopted in  
50 13 accordance with this section shall not take effect before the  
50 14 rules are reviewed by the administrative rules review  
50 15 committee. The delay authority provided to the administrative  
50 16 rules review committee under section 17A.4, subsection 5, and  
50 17 section 17A.8, subsection 9, shall be applicable to a delay  
50 18 imposed under this section, notwithstanding a provision in  
50 19 those sections making them inapplicable to section 17A.5,  
50 20 subsection 2, paragraph "b". Any rules adopted in accordance  
50 21 with the provisions of this section shall also be published as  
50 22 notice of intended action as provided in section 17A.4.

50 23 Sec. 32. REPORTS. Any reports or information required to  
50 24 be compiled and submitted under this division of this Act  
50 25 shall be submitted to the chairpersons and ranking members of  
50 26 the joint appropriations subcommittee on health and human  
50 27 services, the legislative services agency, and the legislative  
50 28 caucus staffs on or before the dates specified for submission  
50 29 of the reports or information.

50 30 Sec. 33. LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM ==  
50 31 SUPPLEMENTAL APPROPRIATION.

50 32 1. There is appropriated from the general fund of the  
50 33 state to the division of community action agencies of the  
50 34 department of human rights for the fiscal year beginning July  
50 35 1, 2005, and ending June 30, 2006, the following amount, or so  
51 1 much thereof as is necessary, to be used for the purpose  
51 2 designated:

51 3 For supplementation of the appropriation made for the  
51 4 low-income home energy assistance program made in 2005 Iowa  
51 5 Acts, chapter 164, section 10:

51 6 ..... \$ 3,000,000

51 7 2. Of the moneys appropriated in this section, \$150,000  
51 8 shall not be expended in the fiscal year for which  
51 9 appropriated, but shall be transferred in the succeeding  
51 10 fiscal year to the department of human services to be used for  
51 11 the family development and self-sufficiency grant program.  
51 12 Notwithstanding section 8.33, moneys appropriated in this  
51 13 section that remain unencumbered or unobligated at the close  
51 14 of the fiscal year shall not revert but shall remain available  
51 15 for expenditure for the purposes designated until the close of  
51 16 the succeeding fiscal year.

51 17 3. The legislative council is requested to authorize a  
51 18 review of the low-income home energy assistance program and  
51 19 weatherization program by the fiscal committee of the  
51 20 legislative council or other body during the 2006 legislative  
51 21 interim. The issues reviewed shall include but are not  
51 22 limited to financial assistance, the application and intake  
51 23 processes, and the community action agencies assessment and  
51 24 resolution proposal. The review shall also include involving

51 25 the department of human services in the administration of the  
51 26 programs to enable low-income persons to access additional  
51 27 assistance programs through a single location.

51 28 Sec. 34. Section 16.183, subsections 1 and 3, Code 2005,  
51 29 are amended to read as follows:

51 30 1. A home and community-based services revolving loan  
51 31 program fund is created within the authority to further the  
51 32 goals specified in section 231.3, adult day services, respite  
51 33 services, ~~and~~ congregate meals, health and wellness, health  
51 34 screening, and nutritional assessments. The moneys in the  
51 35 home and community-based services revolving loan program fund  
52 1 shall be used by the authority for the development and  
52 2 operation of a revolving loan program to develop and expand  
52 3 facilities and infrastructure that provide adult day services,  
52 4 respite services, ~~and~~ congregate meals, and programming space  
52 5 for health and wellness, health screening, and nutritional  
52 6 assessments that address the needs of persons with low  
52 7 incomes.

52 8 3. The authority, in cooperation with the department of  
52 9 elder affairs, shall annually allocate moneys available in the  
52 10 home and community-based services revolving loan program fund  
52 11 to develop and expand facilities and infrastructure that  
52 12 provide adult day services, respite services, ~~and~~ congregate  
52 13 meals, and programming space for health and wellness, health  
52 14 screening, and nutritional assessments that address the needs  
52 15 of persons with low incomes.

52 16 Sec. 35. 2005 Iowa Acts, chapter 175, section 2,  
52 17 subsection 4, unnumbered paragraph 2, is amended to read as  
52 18 follows:

52 19 Of the funds appropriated in this subsection, not more than  
52 20 \$100,000 shall be used to leverage federal funding through the  
52 21 federal Ryan White Care Act, Title II, AIDS drug assistance  
52 22 program supplemental drug treatment grants. Notwithstanding  
52 23 section 8.33, moneys allocated in this subparagraph that  
52 24 remain unencumbered or unobligated at the close of the fiscal  
52 25 year shall not revert but shall remain available for  
52 26 expenditure for the purposes designated until the close of the  
52 27 succeeding fiscal year.

52 28 Sec. 36. 2005 Iowa Acts, chapter 175, section 2,  
52 29 subsection 12, is amended by adding the following new  
52 30 unnumbered paragraph:

52 31 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,  
52 32 moneys appropriated in this subsection that remain  
52 33 unencumbered or unobligated at the close of the fiscal year  
52 34 shall not revert but shall remain available for expenditure  
52 35 for the purposes designated until the close of the succeeding  
53 1 fiscal year.

53 2 Sec. 37. 2005 Iowa Acts, chapter 175, section 3, is  
53 3 amended by adding the following new unnumbered paragraph:

53 4 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,  
53 5 moneys appropriated in this section that remain unencumbered  
53 6 or unobligated at the close of the fiscal year shall not  
53 7 revert but shall remain available for expenditure for the  
53 8 purposes designated until the close of the succeeding fiscal  
53 9 year.

53 10 Sec. 38. 2005 Iowa Acts, chapter 175, section 4,  
53 11 subsection 2, is amended by adding the following new  
53 12 unnumbered paragraph:

53 13 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33 and  
53 14 section 35D.18, subsection 5, moneys appropriated in this  
53 15 subsection that remain unencumbered or unobligated at the  
53 16 close of the fiscal year shall not revert but shall remain  
53 17 available for expenditure in succeeding fiscal years. Of the  
53 18 amount remaining available for expenditure under this  
53 19 paragraph, the first \$1,000,000 shall be used for Iowa  
53 20 veterans home operations in the immediately succeeding fiscal  
53 21 year and the balance shall be transferred to any appropriation  
53 22 made for the fiscal year beginning July 1, 2006, for purposes  
53 23 of capital improvements, renovations, or new construction at  
53 24 the Iowa veterans home. However, if an appropriation is not  
53 25 made for such purposes for that fiscal year by the Eighty=  
53 26 first General Assembly, 2006 Session, the balance shall remain  
53 27 available to be used to supplement an appropriation made for  
53 28 such purposes for a subsequent fiscal year.

53 29 Sec. 39. 2005 Iowa Acts, chapter 175, section 9,  
53 30 unnumbered paragraph 2, is amended to read as follows:

53 31 For medical assistance reimbursement and associated costs  
53 32 as specifically provided in the reimbursement methodologies in  
53 33 effect on June 30, 2005, except as otherwise expressly  
53 34 authorized by law, including reimbursement for abortion  
53 35 services, which shall be available under the medical

54 1 assistance program only for those abortions which are  
54 2 medically necessary:  
54 3 ..... \$519,040,317  
54 4 ..... 538,040,317

54 5 Sec. 40. 2005 Iowa Acts, chapter 175, section 9, is  
54 6 amended by adding the following new subsection:  
54 7 NEW SUBSECTION. 15. Notwithstanding section 8.33,  
54 8 \$500,000 of the moneys appropriated in this section that  
54 9 remain unencumbered or unobligated at the close of the fiscal  
54 10 year shall not revert but shall remain available for  
54 11 expenditure for the operational costs associated with Part D  
54 12 of the federal Medicare Prescription Drug, Improvement, and  
54 13 Modernization Act of 2003, Pub. L. No. 108=173, until the  
54 14 close of the succeeding fiscal year.

54 15 Sec. 41. 2005 Iowa Acts, chapter 175, section 12, is  
54 16 amended by adding the following new subsection:  
54 17 NEW SUBSECTION. 4. Notwithstanding section 8.33,  
54 18 \$1,100,000 of the moneys appropriated in this section that  
54 19 remain unencumbered or unobligated at the close of the fiscal  
54 20 year shall not revert but shall remain available for  
54 21 expenditure for the purposes designated until the close of the  
54 22 succeeding fiscal year.

54 23 Sec. 42. 2005 Iowa Acts, chapter 175, section 14,  
54 24 subsection 2, is amended to read as follows:  
54 25 2. Of the funds appropriated in this section, \$900,000  
54 26 shall be used for implementation of a quality rating system  
54 27 for child care providers, in accordance with legislation  
54 28 enacted to authorize implementation of the rating system.  
54 29 Notwithstanding section 8.33, \$125,000 of the moneys allocated  
54 30 in this subsection that remain unencumbered or unobligated at  
54 31 the close of the fiscal year shall not revert but shall remain  
54 32 available for expenditure for the purposes designated until  
54 33 the close of the succeeding fiscal year.

54 34 Sec. 43. 2005 Iowa Acts, chapter 175, section 16, is  
54 35 amended by adding the following new subsection:  
55 1 NEW SUBSECTION. 18. Notwithstanding section 8.33,  
55 2 \$1,000,000 of the moneys appropriated in this section that  
55 3 remain unencumbered or unobligated at the close of the fiscal  
55 4 year shall not revert but shall remain available for  
55 5 expenditure for the purposes designated until the close of the  
55 6 succeeding fiscal year.

55 7 Sec. 44. 2005 Iowa Acts, chapter 175, section 17, is  
55 8 amended by adding the following new subsection:  
55 9 NEW SUBSECTION. 4. Notwithstanding section 8.33,  
55 10 \$2,000,000 of the moneys appropriated in this section that  
55 11 remain unencumbered or unobligated at the close of the fiscal  
55 12 year shall not revert but shall remain available for  
55 13 expenditure for the purposes designated until the close of the  
55 14 succeeding fiscal year.

55 15 Sec. 45. 2005 Iowa Acts, chapter 175, section 21,  
55 16 subsection 3, is amended by adding the following new  
55 17 unnumbered paragraph:  
55 18 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,  
55 19 revenues that are directly attributable to the psychiatric  
55 20 medical institution for children beds operated by the state at  
55 21 the state mental health institute at Independence in  
55 22 accordance with section 226.9B, that are received as repayment  
55 23 receipts and are attributed to the fiscal year beginning July  
55 24 1, 2005, shall not revert but shall remain available for  
55 25 expenditure for the purposes designated until the close of the  
55 26 succeeding fiscal year.

55 27 Sec. 46. 2005 Iowa Acts, chapter 175, section 22, is  
55 28 amended by adding the following new subsection:  
55 29 NEW SUBSECTION. 2A. a. Notwithstanding sections 8.33 and  
55 30 222.92, of the revenues available to the state resource  
55 31 centers that remain unencumbered or unobligated at the close  
55 32 of the fiscal year the indicated amounts shall not revert but  
55 33 shall remain available for expenditure for the purposes  
55 34 designated until the close of the succeeding fiscal year:  
55 35 (1) For the state resource center at Glenwood, \$1,250,000.  
56 1 (2) For the state resource center at Woodward, \$750,000.  
56 2 b. Of the amounts designated in paragraph "a", \$250,000 at  
56 3 each resource center shall be used to continue the procurement  
56 4 and installation of the electronic medical records system  
56 5 initiated in the fiscal year beginning July 1, 2005.

56 6 Sec. 47. 2005 Iowa Acts, chapter 175, section 23, is  
56 7 amended by adding the following new subsection:  
56 8 NEW SUBSECTION. 3. Notwithstanding section 8.33, \$400,000  
56 9 of the moneys appropriated in this section that remain  
56 10 unencumbered or unobligated at the close of the fiscal year  
56 11 shall not revert but shall remain available for expenditure



56 12 for the purposes designated until the close of the succeeding  
56 13 fiscal year.

56 14 Sec. 48. 2005 Iowa Acts, chapter 175, section 26, is  
56 15 amended by adding the following new unnumbered paragraph:  
56 16 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,  
56 17 the moneys appropriated in this section that remain  
56 18 unencumbered or unobligated at the close of the fiscal year  
56 19 shall not revert but shall remain available for expenditure  
56 20 for the purposes designated until the close of the succeeding  
56 21 fiscal year.

56 22 Sec. 49. 2005 Iowa Acts, chapter 175, section 29,  
56 23 subsection 1, paragraph a, subparagraph (2), is amended to  
56 24 read as follows:

56 25 (2) For the fiscal year beginning July 1, 2005, the total  
56 26 state funding amount for the nursing facility budget shall not  
56 27 exceed ~~\$161,600,000~~ \$168,156,999. The department, in  
56 28 cooperation with nursing facility representatives, shall  
56 29 review projections for state funding expenditures for  
56 30 reimbursement of nursing facilities on a quarterly basis and  
56 31 the department shall determine if an adjustment to the medical  
56 32 assistance reimbursement rate is necessary in order to provide  
56 33 reimbursement within the state funding amount. Any temporary  
56 34 enhanced federal financial participation that may become  
56 35 available to the Iowa medical assistance program during the  
57 1 fiscal year shall not be used in projecting the nursing  
57 2 facility budget. Notwithstanding 2001 Iowa Acts, chapter 192,  
57 3 section 4, subsection 2, paragraph "c", and subsection 3,  
57 4 paragraph "a", subparagraph (2), if the state funding  
57 5 expenditures for the nursing facility budget for the fiscal  
57 6 year beginning July 1, 2005, are projected to exceed the  
57 7 amount specified in this subparagraph, the department shall  
57 8 adjust the skilled nursing facility market basket inflation  
57 9 factor of the reimbursement rate calculation for only the  
57 10 nursing facilities reimbursed under the case-mix reimbursement  
57 11 system to maintain expenditures of the nursing facility budget  
57 12 within the specified amount.

57 13 Sec. 50. 2005 Iowa Acts, chapter 175, section 29,  
57 14 subsection 1, paragraph a, is amended by adding the following  
57 15 new subparagraph:

57 16 NEW SUBPARAGRAPH. (4) For the period of April 1, 2006,  
57 17 through June 30, 2006, the department shall apply one-third of  
57 18 the skilled nursing facility market basket index to the  
57 19 midpoint of the rate period beginning July 1, 2005. The  
57 20 department may adopt emergency rules to implement this  
57 21 subparagraph.

57 22 Sec. 51. NONREVERSION == FY 2007=2008 BASE BUDGET. For  
57 23 purposes of the budget process under section 8.23 for the  
57 24 fiscal year beginning July 1, 2007, the base budget amounts  
57 25 for the appropriations made to the department of human  
57 26 services for the purposes designated in this division of this  
57 27 Act shall be adjusted to include the amounts of the  
57 28 appropriations made for the same purposes for the fiscal year  
57 29 beginning July 1, 2005, that, pursuant to this division of  
57 30 this Act, do not revert and remain available for expenditure  
57 31 in the succeeding fiscal year.

57 32 Sec. 52. EFFECTIVE DATES. The following provisions of  
57 33 this division of this Act, being deemed of immediate  
57 34 importance, take effect upon enactment:

57 35 1. The provision under the appropriation for medical  
58 1 assistance relating to the submission of a medical assistance  
58 2 state plan amendment to the centers for Medicare and Medicaid  
58 3 services of the United States department of health and human  
58 4 services.

58 5 2. The provision under the appropriation for medical  
58 6 assistance relating to the directive to the department of  
58 7 human services to apply for participation in the Medicaid  
58 8 transformation grants program as specified in the federal  
58 9 Deficit Reduction Act of 2005.

58 10 3. The provision under the appropriation for child and  
58 11 family services, relating to requirements of section 232.143  
58 12 for representatives of the department of human services and  
58 13 juvenile court services to establish a plan for continuing  
58 14 group foster care expenditures for the 2006=2007 fiscal year.

58 15 4. The provision enacting a supplemental appropriation to  
58 16 the department of human rights for purposes of the low-income  
58 17 home energy assistance program.

58 18 5. The provision amending 2005 Iowa Acts, chapter 175,  
58 19 section 2, subsection 4.

58 20 6. The provision amending 2005 Iowa Acts, chapter 175,  
58 21 section 2, subsection 12.

58 22 7. The provision amending 2005 Iowa Acts, chapter 175,

58 23 section 3.  
58 24 8. The provision amending 2005 Iowa Acts, chapter 175,  
58 25 section 4.  
58 26 9. The provisions amending 2005 Iowa Acts, chapter 175,  
58 27 section 9.  
58 28 10. The provision amending 2005 Iowa Acts, chapter 175,  
58 29 section 12.  
58 30 11. The provision amending 2005 Iowa Acts, chapter 175,  
58 31 section 14, subsection 2.  
58 32 12. The provision amending 2005 Iowa Acts, chapter 175,  
58 33 section 16.  
58 34 13. The provision amending 2005 Iowa Acts, chapter 175,  
58 35 section 17.  
59 1 14. The provision amending 2005 Iowa Acts, chapter 175,  
59 2 section 21, subsection 3.  
59 3 15. The provision amending 2005 Iowa Acts, chapter 175,  
59 4 section 22.  
59 5 16. The provision amending 2005 Iowa Acts, chapter 175,  
59 6 section 23.  
59 7 17. The provision amending 2005 Iowa Acts, chapter 175,  
59 8 section 26.  
59 9 18. The provision amending 2005 Iowa Acts, chapter 175,  
59 10 section 29, subsection 1, paragraph "a", subparagraph (2).  
59 11 Sec. 53. EFFECTIVE DATE == RETROACTIVE APPLICABILITY. The  
59 12 provision of this division of this Act amending 2005 Iowa  
59 13 Acts, chapter 175, section 29, subsection 1, paragraph "a", by  
59 14 enacting new subparagraph (4), being deemed of immediate  
59 15 importance, takes effect upon enactment and is retroactively  
59 16 applicable to April 1, 2006.

59 17 DIVISION II

59 18 SENIOR LIVING TRUST FUND,  
59 19 ENDOWMENT FOR IOWA'S HEALTH ACCOUNT,  
59 20 PHARMACEUTICAL SETTLEMENT ACCOUNT,  
59 21 IOWACARE ACCOUNT, AND HEALTH CARE  
59 22 TRANSFORMATION ACCOUNT

59 23 Sec. 54. DEPARTMENT OF ELDER AFFAIRS. There is  
59 24 appropriated from the senior living trust fund created in  
59 25 section 249H.4 to the department of elder affairs for the  
59 26 fiscal year beginning July 1, 2006, and ending June 30, 2007,  
59 27 the following amount, or so much thereof as is necessary, to  
59 28 be used for the purpose designated:  
59 29 For the development and implementation of a comprehensive  
59 30 senior living program, including case management only if the  
59 31 monthly cost per client for case management for the frail  
59 32 elderly services provided does not exceed an average of \$70,  
59 33 and including program administration and costs associated with  
59 34 implementation, salaries, support, maintenance, and  
59 35 miscellaneous purposes and for not more than the following  
60 1 full-time equivalent positions:

60 2 ..... \$ 8,296,730  
60 3 ..... FTEs 3.00

60 4 1. Of the funds appropriated in this section, \$2,196,967  
60 5 shall be used for case management for the frail elderly. Of  
60 6 the funds allocated in this subsection, \$1,010,000 shall be  
60 7 transferred to the department of human services in equal  
60 8 amounts on a quarterly basis for reimbursement of case  
60 9 management services provided under the medical assistance  
60 10 elderly waiver. The monthly cost per client for case  
60 11 management for the frail elderly services provided shall not  
60 12 exceed an average of \$70. It is the intent of the general  
60 13 assembly that the additional funding provided for case  
60 14 management for the frail elderly for the fiscal year beginning  
60 15 July 1, 2006, and ending June 30, 2007, shall be used to  
60 16 provide case management services for up to an additional 1,650  
60 17 individuals.

60 18 2. Notwithstanding section 249H.7, the department of elder  
60 19 affairs shall distribute up to \$400,000 of the funds  
60 20 appropriated in this section in a manner that will supplement  
60 21 and maximize federal funds under the federal Older Americans  
60 22 Act and shall not use the amount distributed for any  
60 23 administrative purposes of either the department of elder  
60 24 affairs or the area agencies on aging.

60 25 Sec. 55. DEPARTMENT OF INSPECTIONS AND APPEALS. There is  
60 26 appropriated from the senior living trust fund created in  
60 27 section 249H.4 to the department of inspections and appeals  
60 28 for the fiscal year beginning July 1, 2006, and ending June  
60 29 30, 2007, the following amount, or so much thereof as is  
60 30 necessary, to be used for the purpose designated:

60 31 For the inspection and certification of assisted living  
60 32 facilities and adult day care services, including program  
60 33 administration and costs associated with implementation,

60 34 salaries, support, maintenance, and miscellaneous purposes and  
 60 35 for not more than the following full-time equivalent  
 61 1 positions:  
 61 2 ..... \$ 758,474  
 61 3 ..... FTEs 5.00  
 61 4 Sec. 56. DEPARTMENT OF HUMAN SERVICES. There is  
 61 5 appropriated from the senior living trust fund created in  
 61 6 section 249H.4 to the department of human services for the  
 61 7 fiscal year beginning July 1, 2006, and ending June 30, 2007,  
 61 8 the following amounts, or so much thereof as is necessary, to  
 61 9 be used for the purpose designated:  
 61 10 1. To supplement the medical assistance appropriation,  
 61 11 including program administration and costs associated with  
 61 12 implementation, salaries, support, maintenance, and  
 61 13 miscellaneous purposes and for not more than the following  
 61 14 full-time equivalent positions:  
 61 15 ..... \$ 65,000,000  
 61 16 ..... FTEs 5.00  
 61 17 2. Notwithstanding sections 249H.4 and 249H.5, the  
 61 18 department of human services may use moneys from the senior  
 61 19 living trust fund for cash flow purposes to make payments  
 61 20 under the nursing facility or hospital upper payment limit  
 61 21 methodology. The amount of any moneys so used shall be  
 61 22 refunded to the senior living trust fund within the same  
 61 23 fiscal year and in a prompt manner.  
 61 24 In order to carry out the purposes of this section, the  
 61 25 department may transfer funds appropriated in this section to  
 61 26 supplement other appropriations made to the department of  
 61 27 human services.  
 61 28 Sec. 57. IOWA FINANCE AUTHORITY. There is appropriated  
 61 29 from the senior living trust fund created in section 249H.4 to  
 61 30 the Iowa finance authority for the fiscal year beginning July  
 61 31 1, 2006, and ending June 30, 2007, the following amount, or so  
 61 32 much thereof as is necessary, to be used for the purposes  
 61 33 designated:  
 61 34 To provide reimbursement for rent expenses to eligible  
 61 35 persons:  
 62 1 ..... \$ 700,000  
 62 2 Participation in the rent subsidy program shall be limited  
 62 3 to only those persons who meet the nursing facility level of  
 62 4 care for home and community-based services waiver services as  
 62 5 established on or after July 1, 2006.  
 62 6 Sec. 58. ENDOWMENT FOR IOWA'S HEALTH ACCOUNT == SENIOR  
 62 7 LIVING TRUST FUND. There is appropriated from the endowment  
 62 8 for Iowa's health account of the tobacco settlement trust fund  
 62 9 created in section 12E.12 to the senior living trust fund  
 62 10 created in section 249H.4 for the fiscal year beginning July  
 62 11 1, 2006, and ending June 30, 2007, the following amount:  
 62 12 ..... \$ 25,000,000  
 62 13 Sec. 59. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is  
 62 14 appropriated from the pharmaceutical settlement account  
 62 15 created in section 249A.33 to the department of human services  
 62 16 for the fiscal year beginning July 1, 2006, and ending June  
 62 17 30, 2007, the following amount, or so much thereof as is  
 62 18 necessary, to be used for the purpose designated:  
 62 19 To supplement the appropriations made for medical contracts  
 62 20 under the medical assistance program:  
 62 21 ..... \$ 379,000  
 62 22 Sec. 60. APPROPRIATIONS FROM IOWACARE ACCOUNT.  
 62 23 1. There is appropriated from the IowaCare account created  
 62 24 in section 249J.24 to the state board of regents for  
 62 25 distribution to the university of Iowa hospitals and clinics  
 62 26 for the fiscal year beginning July 1, 2006, and ending June  
 62 27 30, 2007, the following amount, or so much thereof as is  
 62 28 necessary, to be used for the purposes designated:  
 62 29 For salaries, support, maintenance, equipment, and  
 62 30 miscellaneous purposes, for the provision of medical and  
 62 31 surgical treatment of indigent patients, for provision of  
 62 32 services to members of the expansion population pursuant to  
 62 33 chapter 249J, and for medical education:  
 62 34 ..... \$ 27,284,584  
 62 35 a. The university of Iowa hospitals and clinics shall,  
 63 1 when medically appropriate, make reasonable efforts to extend  
 63 2 the university of Iowa hospitals and clinics' use of home  
 63 3 telemedicine and other technologies to reduce the frequency of  
 63 4 visits to the hospital required by indigent patients.  
 63 5 b. The university of Iowa hospitals and clinics shall  
 63 6 submit quarterly a report regarding the portion of the  
 63 7 appropriation in this subsection expended on medical  
 63 8 education. The report shall be submitted in a format jointly  
 63 9 developed by the university of Iowa hospitals and clinics, the

63 10 legislative services agency, and the department of management,  
63 11 and shall delineate the expenditures and purposes of the  
63 12 funds.

63 13 c. Funds appropriated in this subsection shall not be used  
63 14 to perform abortions except medically necessary abortions, and  
63 15 shall not be used to operate the early termination of  
63 16 pregnancy clinic except for the performance of medically  
63 17 necessary abortions. For the purpose of this subsection, an  
63 18 abortion is the purposeful interruption of pregnancy with the  
63 19 intention other than to produce a live-born infant or to  
63 20 remove a dead fetus, and a medically necessary abortion is one  
63 21 performed under one of the following conditions:

63 22 (1) The attending physician certifies that continuing the  
63 23 pregnancy would endanger the life of the pregnant woman.

63 24 (2) The attending physician certifies that the fetus is  
63 25 physically deformed, mentally deficient, or afflicted with a  
63 26 congenital illness.

63 27 (3) The pregnancy is the result of a rape which is  
63 28 reported within 45 days of the incident to a law enforcement  
63 29 agency or public or private health agency which may include a  
63 30 family physician.

63 31 (4) The pregnancy is the result of incest which is  
63 32 reported within 150 days of the incident to a law enforcement  
63 33 agency or public or private health agency which may include a  
63 34 family physician.

63 35 (5) The abortion is a spontaneous abortion, commonly known  
64 1 as a miscarriage, wherein not all of the products of  
64 2 conception are expelled.

64 3 2. There is appropriated from the IowaCare account created  
64 4 in section 249J.24 to the department of human services for  
64 5 distribution to a publicly owned acute care teaching hospital  
64 6 located in a county with a population over three hundred fifty  
64 7 thousand for the fiscal year beginning July 1, 2006, and  
64 8 ending June 30, 2007, the following amount, or so much thereof  
64 9 as is necessary, to be used for the purposes designated:

64 10 For the provision of medical and surgical treatment of  
64 11 indigent patients, for provision of services to members of the  
64 12 expansion population pursuant to chapter 249J, and for medical  
64 13 education:

64 14 ..... \$ 40,000,000  
64 15 Notwithstanding any provision of law to the contrary, of  
64 16 the amount appropriated in this subsection, \$37,000,000 shall  
64 17 be allocated in twelve equal monthly payments as provided in  
64 18 section 249J.24. Any amount appropriated in this subsection  
64 19 in excess of \$37,000,000 shall be allocated only if federal  
64 20 funds are available to match the amount allocated.

64 21 3. There is appropriated from the IowaCare account created  
64 22 in section 249J.24 to the department of human services for the  
64 23 state hospitals for persons with mental illness designated in  
64 24 section 226.1 for the fiscal year beginning July 1, 2006, and  
64 25 ending June 30, 2007, the following amounts, or so much  
64 26 thereof as is necessary, to be used for the purposes  
64 27 designated:

64 28 a. For the state mental health institute at Cherokee, for  
64 29 salaries, support, maintenance, and miscellaneous purposes,  
64 30 including services to members of the expansion population  
64 31 pursuant to chapter 249J:

64 32 ..... \$ 9,098,425

64 33 b. For the state mental health institute at Clarinda, for  
64 34 salaries, support, maintenance, and miscellaneous purposes,  
64 35 including services to members of the expansion population  
65 1 pursuant to chapter 249J:

65 2 ..... \$ 1,977,305

65 3 c. For the state mental health institute at Independence,  
65 4 for salaries, support, maintenance, and miscellaneous  
65 5 purposes, including services to members of the expansion  
65 6 population pursuant to chapter 249J:

65 7 ..... \$ 9,045,894

65 8 d. For the state mental health institute at Mount  
65 9 Pleasant, for salaries, support, maintenance, and  
65 10 miscellaneous purposes, including services to members of the  
65 11 expansion population designation pursuant to chapter 249J:

65 12 ..... \$ 5,752,587

65 13 Sec. 61. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE  
65 14 TRANSFORMATION. There is appropriated from the account for  
65 15 health care transformation created in section 249J.23, to the  
65 16 department of human services, for the fiscal year beginning  
65 17 July 1, 2006, and ending June 30, 2007, the following amounts,  
65 18 or so much thereof as is necessary, to be used for the  
65 19 purposes designated:

65 20 1. For the costs of medical examinations and development

65 21 of personal health improvement plans for the expansion  
 65 22 population pursuant to section 249J.6:  
 65 23 ..... \$ 556,800  
 65 24 2. For the provision of a medical information hotline for  
 65 25 the expansion population as provided in section 249J.6:  
 65 26 ..... \$ 150,000  
 65 27 3. For the insurance cost subsidy program pursuant to  
 65 28 section 249J.8:  
 65 29 ..... \$ 1,500,000  
 65 30 4. For the health care account program option pursuant to  
 65 31 section 249J.8:  
 65 32 ..... \$ 400,000  
 65 33 5. For the use of electronic medical records by medical  
 65 34 assistance program and expansion population provider network  
 65 35 providers pursuant to section 249J.14:  
 66 1 ..... \$ 2,000,000  
 66 2 6. For other health partnership activities pursuant to  
 66 3 section 249J.14:  
 66 4 ..... \$ 550,000  
 66 5 7. For the costs related to audits, performance  
 66 6 evaluations, and studies required pursuant to chapter 249J:  
 66 7 ..... \$ 100,000  
 66 8 8. For administrative costs associated with chapter 249J:  
 66 9 ..... \$ 930,352  
 66 10 9. For development of a case-mix acuity-based  
 66 11 reimbursement system for intermediate care facilities for  
 66 12 persons with mental retardation:  
 66 13 ..... \$ 150,000  
 66 14 10. For development of a provider incentive payment  
 66 15 program to reward performance and quality of service:  
 66 16 ..... \$ 50,000  
 66 17 Notwithstanding section 8.39, subsection 1, without the  
 66 18 prior written consent and approval of the governor and the  
 66 19 director of the department of management, the director of  
 66 20 human services may transfer funds among the appropriations  
 66 21 made in this section, as necessary to carry out the purposes  
 66 22 of the account for health care transformation. The department  
 66 23 shall report any transfers made pursuant to this section to  
 66 24 the legislative services agency.  
 66 25 Sec. 62. TRANSFER FROM ACCOUNT FOR HEALTH CARE  
 66 26 TRANSFORMATION. There is transferred from the account for  
 66 27 health care transformation created pursuant to section  
 66 28 249J.23, to the IowaCare account created in section 249J.24, a  
 66 29 total of \$3,000,000 for the fiscal year beginning July 1,  
 66 30 2006, and ending June 30, 2007.  
 66 31 Sec. 63. MEDICAL ASSISTANCE PROGRAM == REVERSION TO SENIOR  
 66 32 LIVING TRUST FUND FOR FY 2006=2007. Notwithstanding section  
 66 33 8.33, if moneys appropriated for purposes of the medical  
 66 34 assistance program for the fiscal year beginning July 1, 2006,  
 66 35 and ending June 30, 2007, from the general fund of the state,  
 67 1 the senior living trust fund, and the healthy Iowans tobacco  
 67 2 trust fund are in excess of actual expenditures for the  
 67 3 medical assistance program and remain unencumbered or  
 67 4 unobligated at the close of the fiscal year, the excess moneys  
 67 5 shall not revert but shall be transferred to the senior living  
 67 6 trust fund created in section 249H.4. Unless otherwise  
 67 7 provided in this Act, moneys appropriated for purposes of the  
 67 8 medical assistance program for the fiscal year beginning July  
 67 9 1, 2006, and ending June 30, 2007, are not subject to transfer  
 67 10 under section 8.39 or other provision of law except as  
 67 11 authorized in this section.  
 67 12 Sec. 64. Section 249H.11, Code 2005, is amended to read as  
 67 13 follows:  
 67 14 249H.11 ~~FUTURE REPEAL GRANTS == NONREVERSION.~~  
 67 15 1. ~~Section 249H.6 is repealed on June 30, 2005. However,~~  
 67 16 ~~Nursing facility conversion and long-term care services~~  
 67 17 ~~development grants awarded and moneys appropriated for grants~~  
 67 18 ~~on or before June 30, 2005, shall be disbursed to eligible~~  
 67 19 ~~applicants after that date if necessary.~~  
 67 20 2. ~~Notwithstanding section 8.33, moneys committed from the~~  
 67 21 ~~senior living trust fund to grantees under contract to provide~~  
 67 22 ~~for conversion to assisted living programs or for development~~  
 67 23 ~~of long-term care alternatives that remain unexpended at the~~  
 67 24 ~~close of any fiscal year shall not revert to any fund but~~  
 67 25 ~~shall remain available for expenditure for the purposes of the~~  
 67 26 ~~contract.~~  
 67 27 Sec. 65. 2006 Iowa Acts, House File 2347, section 5, is  
 67 28 amended to read as follows:  
 67 29 SEC. 5. ~~APPROPRIATION TRANSFER == HEALTH CARE~~  
 67 30 ~~TRANSFORMATION ACCOUNT. There is appropriated transferred~~  
 67 31 ~~from the account for health care transformation created in~~

67 32 section 249J.23, to the ~~department of human services IowaCare~~  
67 33 ~~account created in section 249J.24, \$2,000,000 for the fiscal~~  
67 34 ~~year beginning July 1, 2005, and ending June 30, 2006, the~~  
67 35 ~~following amount, or so much thereof as is necessary, for the~~  
68 1 ~~purposes designated:~~  
68 2 ~~For payments to the university of Iowa hospitals and~~  
68 3 ~~clinics for provision of services pursuant to and for costs~~  
68 4 ~~associated with chapter 249J:~~  
68 5 ..... \$ 2,000,000  
68 6 ~~Notwithstanding section 8.33, moneys appropriated in this~~  
68 7 ~~section that remain unencumbered or unobligated at the close~~  
68 8 ~~of the fiscal year shall not revert, but shall remain~~  
68 9 ~~available for expenditure for the purposes designated until~~  
68 10 ~~the close of the succeeding fiscal year.~~  
68 11 Sec. 66. 2005 Iowa Acts, chapter 167, section 63,  
68 12 subsection 1, is amended to read as follows:  
68 13 1. There is appropriated from the ~~Iowacare IowaCare~~  
68 14 ~~account created in section 249J.23 to the university of Iowa~~  
68 15 ~~hospitals and clinics for the fiscal year beginning July 1,~~  
68 16 ~~2005, and ending June 30, 2006, the following amount, or so~~  
68 17 ~~much thereof as is necessary, to be used for the purposes~~  
68 18 ~~designated:~~  
68 19 ~~For salaries, support, maintenance, equipment, and~~  
68 20 ~~miscellaneous purposes, for the provision of medical and~~  
68 21 ~~surgical treatment of indigent patients, for provision of~~  
68 22 ~~services to members of the expansion population pursuant to~~  
68 23 ~~chapter 249J, as enacted in this Act, and for medical~~  
68 24 ~~education:~~  
68 25 ..... \$ 27,284,584  
68 26 37,862,932  
68 27 ~~Notwithstanding any provision of this Act to the contrary,~~  
68 28 ~~of the amount appropriated in this subsection, \$27,284,584~~  
68 29 ~~shall be allocated in twelve equal monthly payments as~~  
68 30 ~~provided in section 249J.23, as enacted in this Act. Any~~  
68 31 ~~amount appropriated in this subsection in excess of~~  
68 32 ~~\$27,284,584 shall be allocated only if federal funds are~~  
68 33 ~~available to match the amount allocated. Notwithstanding~~  
68 34 ~~section 8.33, moneys appropriated in this subsection that~~  
68 35 ~~remain unencumbered or unobligated at the close of the fiscal~~  
69 1 ~~year shall not revert, but shall remain available for~~  
69 2 ~~expenditure for the purposes designated until the close of the~~  
69 3 ~~succeeding fiscal year.~~  
69 4 Sec. 67. 2005 Iowa Acts, chapter 175, section 48, is  
69 5 amended to read as follows:  
69 6 SEC. 48. MEDICAL ASSISTANCE PROGRAM == REVERSION TO SENIOR  
69 7 LIVING TRUST FUND FOR FY 2005=2006. Notwithstanding section  
69 8 8.33, if moneys appropriated in this Act for purposes of the  
69 9 medical assistance program for the fiscal year beginning July  
69 10 1, 2005, and ending June 30, 2006, from the general fund of  
69 11 the state, the senior living trust fund, the hospital trust  
69 12 fund, or the healthy Iowans tobacco trust fund are in excess  
69 13 of actual expenditures for the medical assistance program and  
69 14 remain unencumbered or unobligated at the close of the fiscal  
69 15 year, the excess moneys shall not revert but shall be  
69 16 transferred to the senior living trust fund created in section  
69 17 249H.4. Unless otherwise provided in this Act, moneys  
69 18 appropriated for purposes of the medical assistance program  
69 19 for the fiscal year beginning July 1, 2005, and ending June  
69 20 30, 2006, are not subject to transfer under section 8.39 or  
69 21 other provision of law except as authorized in this section.  
69 22 Sec. 68. EFFECTIVE DATE. The following provisions of this  
69 23 division of this Act, being deemed of immediate importance,  
69 24 take effect upon enactment:  
69 25 1. The provision amending 2005 Iowa Acts, chapter 167,  
69 26 section 63.  
69 27 2. The provision amending 2005 Iowa Acts, chapter 175,  
69 28 section 48.  
69 29 3. The provision amending section 249H.11.  
69 30 Sec. 69. EFFECTIVE DATE == RETROACTIVE APPLICABILITY. The  
69 31 section of this division of this Act amending 2006 Iowa Acts,  
69 32 House File 2347, section 5, being deemed of immediate  
69 33 importance, takes effect upon enactment and is retroactively  
69 34 applicable to March 9, 2006.  
69 35 DIVISION III  
70 1 MENTAL HEALTH, MENTAL RETARDATION,  
70 2 DEVELOPMENTAL DISABILITIES,  
70 3 AND BRAIN INJURY SERVICES  
70 4 ALLOWED GROWTH FUNDING ==  
70 5 FISCAL YEAR 2006=2007  
70 6 Sec. 70. 2005 Iowa Acts, chapter 179, section 1,  
70 7 subsection 1, is amended to read as follows:

70 8 1. There is appropriated from the general fund of the  
70 9 state to the department of human services for the fiscal year  
70 10 beginning July 1, 2006, and ending June 30, 2007, the  
70 11 following amount, or so much thereof as is necessary, to be  
70 12 used for the purpose designated:  
70 13 For distribution to counties of the county mental health,  
70 14 mental retardation, and developmental disabilities allowed  
70 15 growth factor adjustment, as provided in this section in lieu  
70 16 of the provisions of section 331.438, subsection 2, and  
70 17 section 331.439, subsection 3, and chapter 426B:  
70 18 ..... \$ ~~35,788,041~~  
70 19 38,888,041  
70 20 Sec. 71. 2005 Iowa Acts, chapter 179, section 1,  
70 21 subsection 2, paragraph a, is amended to read as follows:  
70 22 a. For distribution to counties for fiscal year ~~2005=2006~~  
70 23 2006=2007 in accordance with the formula in section 331.438,  
70 24 subsection 2, paragraph "b":  
70 25 ..... \$ 12,000,000  
70 26 Sec. 72. 2005 Iowa Acts, chapter 179, section 1,  
70 27 subsection 2, paragraphs b and c, are amended to read as  
70 28 follows:  
70 29 b. For deposit in the per capita expenditure target pool  
70 30 created in the property tax relief fund and for distribution  
70 31 in accordance with section 426B.5, subsection 1:  
70 32 ..... \$ ~~19,361,148~~  
70 33 24,461,148  
70 34 c. For deposit in the risk pool created in the property  
70 35 tax relief fund and for distribution in accordance with  
71 1 section 426B.5, subsection 2:  
71 2 ..... \$ ~~2,000,000~~  
71 3 0  
71 4 Sec. 73. 2005 Iowa Acts, chapter 179, section 1, is  
71 5 amended by adding the following new subsections:  
71 6 NEW SUBSECTION. 3. The following formula amounts shall be  
71 7 utilized only to calculate preliminary distribution amounts  
71 8 for fiscal year 2006=2007 under this section by applying the  
71 9 indicated formula provisions to the formula amounts and  
71 10 producing a preliminary distribution total for each county:  
71 11 a. For calculation of an allowed growth factor adjustment  
71 12 amount for each county in accordance with the formula in  
71 13 section 331.438, subsection 2, paragraph "b":  
71 14 ..... \$ 12,000,000  
71 15 b. For calculation of a distribution amount for eligible  
71 16 counties from the per capita expenditure target pool created  
71 17 in the property tax relief fund in accordance with the  
71 18 requirements in section 426B.5, subsection 1:  
71 19 ..... \$ 32,125,724  
71 20 c. For calculation of a distribution amount for counties  
71 21 from the mental health and developmental disabilities (MH/DD)  
71 22 community services fund in accordance with the formula  
71 23 provided in the appropriation made for the MH/DD community  
71 24 services fund for the fiscal year beginning July 1, 2006:  
71 25 ..... \$ 17,727,890  
71 26 NEW SUBSECTION. 4. After applying the applicable  
71 27 statutory distribution formulas to the amounts indicated in  
71 28 subsection 3 for purposes of producing preliminary  
71 29 distribution totals, the department of human services shall  
71 30 apply a withholding factor to adjust an eligible individual  
71 31 county's preliminary distribution total. An ending balance  
71 32 percentage for each county shall be determined by expressing  
71 33 the county's ending balance on a modified accrual basis under  
71 34 generally accepted accounting principles for the fiscal year  
71 35 beginning July 1, 2005, in the county's mental health, mental  
72 1 retardation, and developmental disabilities services fund  
72 2 created under section 331.424A, as a percentage of the  
72 3 county's gross expenditures from that fund for that fiscal  
72 4 year. If a county borrowed moneys for purposes of providing  
72 5 services from the county's services fund on or before July 1,  
72 6 2005, and the county's services fund ending balance for that  
72 7 fiscal year includes the loan proceeds or an amount designated  
72 8 in the county budget to service the loan for the borrowed  
72 9 moneys, those amounts shall not be considered to be part of  
72 10 the county's ending balance for purposes of calculating an  
72 11 ending balance percentage under this subsection. The  
72 12 withholding factor for a county shall be the following  
72 13 applicable percent:  
72 14 a. For an ending balance percentage of less than 5  
72 15 percent, a withholding factor of 0 percent. In addition, a  
72 16 county that is subject to this lettered paragraph shall  
72 17 receive an inflation adjustment equal to 3 percent of the  
72 18 gross expenditures reported for the county's services fund for

72 19 the fiscal year.  
72 20 b. For an ending balance percentage of 5 or more but less  
72 21 than 10 percent, a withholding factor of 0 percent. In  
72 22 addition, a county that is subject to this lettered paragraph  
72 23 shall receive an inflation adjustment equal to 2 percent of  
72 24 the gross expenditures reported for the county's services fund  
72 25 for the fiscal year.

72 26 c. For an ending balance percentage of 10 or more but less  
72 27 than 25 percent, a withholding factor of 25 percent. However,  
72 28 the amount withheld shall be limited to the amount by which  
72 29 the county's ending balance was in excess of the ending  
72 30 balance percentage of 10 percent.

72 31 d. For an ending balance percentage of 25 percent or more,  
72 32 a withholding percentage of 100 percent.

72 33 NEW SUBSECTION. 5. The total withholding amounts applied  
72 34 pursuant to subsection 4 shall be equal to a withholding  
72 35 target amount of \$7,664,576. If the department of human  
73 1 services determines that the amount to be withheld in  
73 2 accordance with subsection 4 is not equal to the target  
73 3 withholding amount, the department shall adjust the  
73 4 withholding factors listed in subsection 4 as necessary to  
73 5 achieve the withholding target amount. However, in making  
73 6 such adjustments to the withholding factors, the department  
73 7 shall strive to minimize changes to the withholding factors  
73 8 for those ending balance percentage ranges that are lower than  
73 9 others and shall not adjust the zero withholding factor or the  
73 10 inflation adjustment percentage specified in subsection 4,  
73 11 paragraph "a".

73 12 Sec. 74. EFFECTIVE DATE. The section of this division of  
73 13 this Act amending 2005 Iowa Acts, chapter 179, section 1,  
73 14 subsection 2, paragraph "a", being deemed of immediate  
73 15 importance, takes effect upon enactment.

73 16 DIVISION IV  
73 17 MISCELLANEOUS PROVISIONS

73 18 Sec. 75. Section 135.2, Code 2005, is amended to read as  
73 19 follows:

73 20 135.2 APPOINTMENT OF DIRECTOR AND ACTING DIRECTOR.

73 21 1. a. The governor shall appoint the director of the  
73 22 department, subject to confirmation by the senate. The  
73 23 director shall serve at the pleasure of the governor. The  
73 24 director is exempt from the merit system provisions of chapter  
73 25 8A, subchapter IV. The governor shall set the salary of the  
73 26 director within the range established by the general assembly.

73 27 b. The director shall possess education and experience in  
73 28 public health.

73 29 2. The director may appoint an employee of the department

73 30 to be acting director, who shall have all the powers and

73 31 duties possessed by the director. The director may appoint

73 32 more than one acting director but only one acting director

73 33 shall exercise the powers and duties of the director at any

73 34 time.

73 35 Sec. 76. NEW SECTION. 135.12 OFFICE OF MULTICULTURAL

74 1 HEALTH == ESTABLISHED == DUTIES.

74 2 The office of multicultural health is established within  
74 3 the department. The office shall be responsible for all of  
74 4 the following:

74 5 1. Providing comprehensive management strategies to  
74 6 address culturally and linguistically appropriate services,  
74 7 including strategic goals, plans, policies, and procedures,  
74 8 and designating staff responsible for implementation.

74 9 2. Requiring and arranging for ongoing education and  
74 10 training for administrative, clinical, and other appropriate  
74 11 staff in culturally and linguistically competent health care  
74 12 and service delivery.

74 13 3. Utilizing formal mechanisms for community and consumer  
74 14 involvement and coordinating with other state agencies to  
74 15 identify resources and programs that affect the health service  
74 16 delivery systems.

74 17 Sec. 77. Section 135.22A, subsection 3, Code Supplement  
74 18 2005, is amended to read as follows:

74 19 3. The council shall be composed of a minimum of nine  
74 20 members appointed by the governor in addition to the ex  
74 21 officio members, and the governor may appoint additional  
74 22 members. Insofar as practicable, the council shall include  
74 23 persons with brain injuries, family members of persons with  
74 24 brain injuries, representatives of industry, labor, business,  
74 25 and agriculture, representatives of federal, state, and local  
74 26 government, and representatives of religious, charitable,  
74 27 fraternal, civic, educational, medical, legal, veteran,  
74 28 welfare, and other professional groups and organizations.  
74 29 Members shall be appointed representing every geographic and



74 30 employment area of the state and shall include members of both  
74 31 sexes. A simple majority of the members appointed by the  
74 32 governor shall constitute a quorum.

74 33 Sec. 78. Section 135.63, subsection 2, paragraph o, Code  
74 34 2005, is amended to read as follows:  
74 35 o. The change in ownership, licensure, organizational  
75 1 structure, or designation of the type of institutional health  
75 2 facility if the health services offered by the successor  
75 3 institutional health facility are unchanged. This exclusion  
75 4 is applicable only if the institutional health facility  
75 5 consents to the change in ownership, licensure, organizational  
75 6 structure, or designation of the type of institutional health  
75 7 facility and ceases offering the health services  
75 8 simultaneously with the initiation of the offering of health  
75 9 services by the successor institutional health facility.

75 10 Sec. 79. NEW SECTION. 135.105D BLOOD LEAD TESTING ==  
75 11 PROVIDER EDUCATION == PAYOR OF LAST RESORT.  
75 12 1. For purposes of this section:  
75 13 a. "Blood lead testing" means taking a capillary or venous  
75 14 sample of blood and sending it to a laboratory to determine  
75 15 the level of lead in the blood.  
75 16 b. "Capillary" means a blood sample taken from the finger  
75 17 or heel for lead analysis.  
75 18 c. "Health care provider" means a physician who is  
75 19 licensed under chapter 148, 150, or 150A, or a person who is  
75 20 licensed as a physician assistant under chapter 148C, or as an  
75 21 advanced registered nurse practitioner.  
75 22 d. "Venous" means a blood sample taken from a vein in the  
75 23 arm for lead analysis.  
75 24 2. The department shall work with health care provider  
75 25 associations to educate health care providers regarding  
75 26 requirements for testing children who are enrolled in certain  
75 27 federally funded programs and regarding department  
75 28 recommendations for testing other children for lead poisoning.  
75 29 3. The department shall implement blood lead testing for  
75 30 children under six years of age who are not eligible for the  
75 31 testing services to be paid by a third-party source. The  
75 32 department shall contract with one or more public health  
75 33 laboratories to provide blood lead analysis for such children.  
75 34 The department shall establish by rule the procedures for  
75 35 health care providers to submit samples to the contracted  
76 1 public health laboratories for analysis. The department shall  
76 2 also establish by rule a method to reimburse health care  
76 3 providers for drawing blood samples from such children and the  
76 4 dollar amount that the department will reimburse health care  
76 5 providers for the service. Payment for blood lead analysis  
76 6 and drawing blood samples shall be limited to the amount  
76 7 appropriated for the program in a fiscal year.

76 8 Sec. 80. Section 135.109, subsection 3, paragraph b, Code  
76 9 2005, is amended to read as follows:  
76 10 b. A licensed physician or nurse who is knowledgeable  
76 11 concerning domestic abuse injuries and deaths, including  
76 12 suicides.

76 13 Sec. 81. Section 135.109, subsection 4, Code 2005, is  
76 14 amended by adding the following new paragraph:  
76 15 NEW PARAGRAPH. j. The director of the state law  
76 16 enforcement academy.

76 17 Sec. 82. Section 135.110, subsection 1, paragraph a,  
76 18 unnumbered paragraph 1, Code 2005, is amended to read as  
76 19 follows:  
76 20 Prepare an annual a biennial report for the governor,  
76 21 supreme court, attorney general, and the general assembly  
76 22 concerning the following subjects:  
76 23 Sec. 83. Section 135.140, subsection 6, paragraph a, Code  
76 24 Supplement 2005, is amended by adding the following new  
76 25 subparagraphs:  
76 26 NEW SUBPARAGRAPH. (6) A natural occurrence or incident,  
76 27 including but not limited to fire, flood, storm, drought,  
76 28 earthquake, tornado, or windstorm.  
76 29 NEW SUBPARAGRAPH. (7) A man-made occurrence or incident,  
76 30 including but not limited to an attack, spill, or explosion.

76 31 Sec. 84. Section 137.6, subsection 2, paragraph a, Code  
76 32 2005, is amended to read as follows:  
76 33 a. Rules of a county board shall become effective upon  
76 34 approval by the county board of supervisors by a motion or  
76 35 resolution as defined in section 331.101, subsection 13, and  
77 1 publication in a newspaper having general circulation in the  
77 2 county.

77 3 Sec. 85. NEW SECTION. 139A.13A ISOLATION OR QUARANTINE  
77 4 == EMPLOYMENT PROTECTION.  
77 5 1. An employer shall not discharge an employee, or take or

77 6 fail to take action regarding an employee's promotion or  
77 7 proposed promotion, or take action to reduce an employee's  
77 8 wages or benefits for actual time worked, due to the  
77 9 compliance of an employee with a quarantine or isolation order  
77 10 issued by the department or a local board.  
77 11 2. An employee whose employer violates this section may  
77 12 petition the court for imposition of a cease and desist order  
77 13 against the person's employer and for reinstatement to the  
77 14 person's previous position of employment. This section does  
77 15 not create a private cause of action for relief of money  
77 16 damages.  
77 17 Sec. 86. Section 147.82, subsection 3, Code Supplement  
77 18 2005, is amended to read as follows:  
77 19 3. The department may annually retain and expend not more  
77 20 than one hundred thousand dollars for reduction of the number  
77 21 of days necessary to process medical license requests and for  
77 22 reduction of the number of days needed for consideration of  
77 23 malpractice cases from fees collected pursuant to section  
77 24 147.80 by the board of medical examiners ~~in the fiscal year~~  
~~77 25 beginning July 1, 2005, and ending June 30, 2006.~~ Fees  
77 26 retained by the department pursuant to this subsection shall  
77 27 be considered repayment receipts as defined in section 8.2 and  
77 28 shall be used for the purposes described in this subsection.  
77 29 Sec. 87. Section 147.153, subsection 3, Code 2005, is  
77 30 amended to read as follows:  
77 31 3. Pass an examination administered as determined by the  
77 32 board to ~~assure the applicant's professional competence in~~  
~~77 33 speech pathology or audiology by rule.~~  
77 34 Sec. 88. Section 147.155, Code 2005, is amended to read as  
77 35 follows:  
78 1 147.155 TEMPORARY CLINICAL LICENSE.  
78 2 Any person who has fulfilled all of the requirements for  
78 3 licensure under this division, except for having completed the  
78 4 nine months clinical experience requirement as provided in  
78 5 section 147.153, subsection 1 or 2, and the examination as  
78 6 provided in section 147.153, subsection 3, may apply to the  
78 7 board for a temporary clinical license. The license shall be  
78 8 designated "temporary clinical license in speech pathology" or  
78 9 "temporary clinical license in audiology" and shall authorize  
78 10 the licensee to practice speech pathology or audiology under  
78 11 the supervision of a licensed speech pathologist or licensed  
78 12 audiologist, as appropriate. The license shall be valid for  
78 13 one year and may be renewed once at the discretion of the  
78 14 board. The fee for a temporary clinical license shall be set  
78 15 by the board to cover the administrative costs of issuing the  
78 16 license, and if renewed, a renewal fee as set by the board  
78 17 shall be required. A temporary clinical license shall be  
78 18 issued only upon evidence satisfactory to the board that the  
78 19 applicant will be supervised by a person licensed as a speech  
78 20 pathologist or audiologist, as appropriate. ~~The board shall~~  
~~78 21 revoke any temporary clinical license at any time it~~  
~~78 22 determines either that the work done by the temporary clinical~~  
~~78 23 licensee or the supervision being given the temporary clinical~~  
~~78 24 licensee does not conform to reasonable standards established~~  
~~78 25 by the board.~~  
78 26 Sec. 89. NEW SECTION. 147A.15 AUTOMATED EXTERNAL  
78 27 DEFIBRILLATOR EQUIPMENT == PENALTY.  
78 28 Any person who damages, wrongfully takes or withholds, or  
78 29 removes any component of automated external defibrillator  
78 30 equipment located in a public or privately owned location,  
78 31 including batteries installed to operate the equipment, is  
78 32 guilty of a serious misdemeanor.  
78 33 Sec. 90. Section 148.2, subsection 5, Code 2005, is  
78 34 amended to read as follows:  
78 35 5. Physicians and surgeons of the United States army,  
79 1 navy, ~~or air force, marines, public health service, or other~~  
~~79 2 uniformed service~~ when acting in the line of duty in this  
79 3 state, and holding a current, active permanent license in good  
79 4 standing in another state, district, or territory of the  
79 5 United States, or physicians and surgeons licensed in another  
79 6 state, when incidentally called into this state in  
79 7 consultation with a physician and surgeon licensed in this  
79 8 state.  
79 9 Sec. 91. Section 149.3, Code 2005, is amended to read as  
79 10 follows:  
79 11 149.3 LICENSE.  
79 12 Every applicant for a license to practice podiatry shall:  
79 13 1. Be a graduate of an accredited high school of podiatry.  
79 14 2. Present ~~a diploma~~ an official transcript issued by a  
79 15 school of podiatry approved by the board of podiatry  
79 16 examiners.

79 17 3. Pass an examination in the subjects of anatomy,  
79 18 chemistry, dermatology, diagnosis, pharmacy and materia  
79 19 medica, pathology, physiology, histology, bacteriology,  
79 20 neurology, practical and clinical podiatry, foot orthopedics,  
79 21 and others, as prescribed by the board of podiatry examiners  
79 22 as determined by the board by rule.

79 23 4. Have successfully completed a one-year residency or  
79 24 preceptorship approved by the board of podiatry examiners as  
79 25 determined by the board by rule. This subsection applies to  
79 26 all applicants who graduate from podiatric college on or after  
79 27 January 1, 1995.

79 28 Sec. 92. Section 149.7, unnumbered paragraph 2, Code 2005,  
79 29 is amended to read as follows:

79 30 The temporary certificate shall be issued for one year and  
79 31 may be renewed, but a person shall not be entitled to practice  
79 32 podiatry in excess of three years while holding a temporary  
79 33 certificate. The fee for this certificate shall be set by the  
79 34 podiatry examiners and if extended beyond one year a renewal  
79 35 fee per year shall be set by the podiatry examiners. The fees  
80 1 shall be based on the administrative costs of issuing and  
80 2 renewing the certificates. ~~The podiatry examiners may cancel~~  
80 3 ~~a temporary certificate at any time, without a hearing, for~~  
80 4 ~~reasons deemed sufficient to the podiatry examiners.~~

80 5 Sec. 93. Section 149.7, unnumbered paragraphs 3 and 4,  
80 6 Code 2005, are amended by striking the unnumbered paragraphs.

80 7 Sec. 94. Section 151.12, Code 2005, is amended to read as  
80 8 follows:

80 9 151.12 TEMPORARY CERTIFICATE.

80 10 The chiropractic examiners may, in their discretion, issue  
80 11 a temporary certificate authorizing the licensee to practice  
80 12 chiropractic if, in the opinion of the chiropractic examiners,  
80 13 a need exists and the person possesses the qualifications  
80 14 prescribed by the chiropractic examiners for the license,  
80 15 which shall be substantially equivalent to those required for  
80 16 licensure under this chapter. The chiropractic examiners  
80 17 shall determine in each instance those eligible for this  
80 18 license, whether or not examinations shall be given, ~~and the~~  
80 19 ~~type of examinations, and the duration of the license.~~ No  
80 20 requirements of the law pertaining to regular permanent  
80 21 licensure are mandatory for this temporary license except as  
80 22 specifically designated by the chiropractic examiners. The  
80 23 granting of a temporary license does not in any way indicate  
80 24 that the person so licensed is eligible for regular licensure,  
80 25 nor are the chiropractic examiners in any way obligated to so  
80 26 license the person.

80 27 The temporary certificate shall be issued for one year and  
80 28 at the discretion of the chiropractic examiners may be  
80 29 renewed, but a person shall not practice chiropractic in  
80 30 excess of three years while holding a temporary certificate.  
80 31 The fee for this license shall be set by the chiropractic  
80 32 examiners and if extended beyond one year a renewal fee per  
80 33 year shall be set by the chiropractic examiners. ~~The fees fee~~  
80 34 ~~for the temporary license shall be based on the administrative~~  
80 35 ~~costs of issuing and renewing the licenses. The chiropractic~~  
81 1 ~~examiners may cancel a temporary certificate at any time,~~  
81 2 ~~without a hearing, for reasons deemed sufficient to the~~  
81 3 ~~chiropractic examiners.~~

81 4 ~~When the chiropractic examiners cancel a temporary~~  
81 5 ~~certificate they shall promptly notify the licensee by~~  
81 6 ~~registered mail, at the licensee's last-named address, as~~  
81 7 ~~reflected by the files of the chiropractic examiners, and the~~  
81 8 ~~temporary certificate is terminated and of no further force~~  
81 9 ~~and effect three days after the mailing of the notice to the~~  
81 10 ~~licensee.~~

81 11 Sec. 95. Section 154.3, subsection 1, Code 2005, is  
81 12 amended to read as follows:

81 13 1. Every applicant for a license to practice optometry  
81 14 shall:

81 15 a. ~~Present satisfactory evidence of a preliminary~~  
81 16 ~~education equivalent to at least four years study in an~~  
81 17 ~~accredited high school or other secondary school. Be a~~  
81 18 ~~graduate of an accredited school of optometry.~~

81 19 b. ~~Present a diploma from an official transcript issued by~~  
81 20 ~~an accredited school of optometry.~~

81 21 c. ~~Pass an examination prescribed by the optometry~~  
81 22 ~~examiners in the subjects of physiology of the eye, optical~~  
81 23 ~~physics, anatomy of the eye, ophthalmology, and practical~~  
81 24 ~~optometry as determined by the board by rule.~~

81 25 Sec. 96. Section 154B.6, subsection 3, Code 2005, is  
81 26 amended to read as follows:

81 27 3. Have not failed the examination required in subsection

81 28 2 within ~~the six months next~~ sixty days preceding the date of  
81 29 the subsequent examination.

81 30 The examinations required in this section may, at the  
81 31 discretion of the board, be waived for holders by examination  
81 32 of licenses or certificates from states whose requirements are  
81 33 substantially equivalent to those of this chapter, and for  
81 34 holders by examination of specialty diplomas from the American  
81 35 board of professional psychology.

~~82 1 Any person who within one year after July 1, 1975, meets  
82 2 the requirements specified in subsection 1 shall receive  
82 3 licensure without having passed the examination required in  
82 4 subsection 2 if application for licensure is filed with the  
82 5 board of psychology examiners before July 1, 1977. Any person  
82 6 holding a certificate as a psychologist from the board of  
82 7 examiners of the Iowa psychological association on July 1,  
82 8 1977, who applies for certification before July 1, 1975, shall  
82 9 receive certification.~~

82 10 Sec. 97. Section 154D.2, subsection 2, paragraph b, Code  
82 11 Supplement 2005, is amended to read as follows:

82 12 b. Has at least two years of supervised clinical  
82 13 experience or its equivalent in assessing mental health needs  
82 14 and problems and in providing appropriate mental health  
82 15 services as approved by the board. Standards for supervision,  
82 16 including the required qualifications for supervisors, shall  
82 17 be determined by the board by rule.

82 18 Sec. 98. NEW SECTION. 154E.3A TEMPORARY LICENSE.

82 19 Beginning July 1, 2007, an individual who does not meet the  
82 20 requirements for licensure by examination pursuant to section  
82 21 154E.3 may apply for or renew a temporary license. The  
82 22 temporary license shall authorize the licensee to practice as  
82 23 a sign language interpreter or transliterator under the direct  
82 24 supervision of a sign language interpreter or transliterator  
82 25 licensed pursuant to section 154E.3. The temporary license  
82 26 shall be valid for two years and may only be renewed one time  
82 27 in accordance with standards established by rule. An  
82 28 individual shall not practice for more than a total of four  
82 29 years under a temporary license. The board may revoke a  
82 30 temporary license if it determines that the temporary licensee  
82 31 has violated standards established by rule. The board may  
82 32 adopt requirements for temporary licensure to implement this  
82 33 section.

82 34 Sec. 99. Section 154E.4, subsection 2, Code Supplement  
82 35 2005, is amended by adding the following new paragraph:

83 1 NEW PARAGRAPH. e. Students enrolled in a school of  
83 2 interpreting may interpret only under the direct supervision  
83 3 of a permanently licensed interpreter as part of the student's  
83 4 course of study.

83 5 Sec. 100. Section 157.2, subsection 1, paragraph e, Code  
83 6 Supplement 2005, is amended to read as follows:

83 7 e. Employees ~~and residents~~ of hospitals, health care  
83 8 facilities, orphans' homes, juvenile homes, and other similar  
83 9 facilities who ~~shampoo, arrange, dress, or curl the hair of~~  
83 10 perform cosmetology services for any resident without  
83 11 receiving direct compensation from the person receiving the  
83 12 service.

83 13 Sec. 101. Section 157.2, subsection 1, Code Supplement  
83 14 2005, is amended by adding the following new paragraph:

83 15 NEW PARAGRAPH. ee. Volunteers for and residents of health  
83 16 care facilities, orphans' homes, juvenile homes, and other  
83 17 similar facilities who shampoo, arrange, dress, or curl the  
83 18 hair, apply makeup, or polish the nails of any resident  
83 19 without receiving compensation from the person receiving the  
83 20 service.

83 21 Sec. 102. Section 157.10, subsection 1, Code 2005, is  
83 22 amended to read as follows:

83 23 1. The course of study required for licensure for the  
83 24 practice of cosmetology shall be two thousand one hundred  
83 25 clock hours, or seventy semester credit hours or the  
83 26 equivalent thereof as determined pursuant to administrative  
83 27 rule and regulations promulgated by the United States  
83 28 department of education. The clock hours, and equivalent  
83 29 number of semester credit hours or the equivalent thereof as  
83 30 determined pursuant to administrative rule and regulations  
83 31 promulgated by the United States department of education, of a  
83 32 course of study required for licensure for the practices of  
83 33 electrology, esthetics, ~~and~~ nail technology, manicuring, and  
83 34 pedicuring shall be established by the board. The board shall  
83 35 adopt rules to define the course and content of study for each  
84 1 practice of cosmetology arts and sciences.

84 2 Sec. 103. Section 157.13, subsection 1, Code Supplement  
84 3 2005, is amended by striking the subsection and inserting in

84 4 lieu thereof the following:

84 5 1. It is unlawful for a person to employ an individual to  
84 6 practice cosmetology arts and sciences unless that individual  
84 7 is licensed or has obtained a temporary permit under this  
84 8 chapter. It is unlawful for a licensee to practice with or  
84 9 without compensation in any place other than a licensed salon,  
84 10 a licensed school of cosmetology arts and sciences, or a  
84 11 licensed barbershop as defined in section 158.1. The  
84 12 following exceptions to this subsection shall apply:

84 13 a. A licensee may practice at a location which is not a  
84 14 licensed salon, school of cosmetology arts and sciences, or  
84 15 licensed barbershop under extenuating circumstances arising  
84 16 from physical or mental disability or death of a customer.

84 17 b. Notwithstanding section 157.12, when the licensee is  
84 18 employed by a physician and provides cosmetology services at  
84 19 the place of practice of a physician and is under the  
84 20 supervision of a physician licensed to practice pursuant to  
84 21 chapter 148, 150, or 150A.

84 22 c. When the practice occurs in a facility licensed  
84 23 pursuant to chapter 135B or 135C.

84 24 Sec. 104. Section 157.13, Code Supplement 2005, is amended  
84 25 by adding the following new subsection:

84 26 NEW SUBSECTION. 1A. It is unlawful for a licensee to  
84 27 claim to be a licensed barber, however a licensed  
84 28 cosmetologist may work in a licensed barbershop. It is  
84 29 unlawful for a person to employ a licensed cosmetologist,  
84 30 esthetician, or electrologist to perform the services  
84 31 described in section 157.3A if the licensee has not received  
84 32 the additional training and met the other requirements  
84 33 specified in section 157.3A.

84 34 Sec. 105. Section 225B.8, Code 2005, is amended to read as  
84 35 follows:

85 1 225B.8 REPEAL.

85 2 This chapter is repealed July 1, ~~2006~~ 2011.

85 3 Sec. 106. Section 231.23, Code Supplement 2005, is amended  
85 4 by adding the following new subsections:

85 5 NEW SUBSECTION. 13. Provide annual training for area  
85 6 agency on aging board of directors members.

85 7 NEW SUBSECTION. 14. Establish a procedure for an area  
85 8 agency on aging to use in selection of members of the agency's  
85 9 board of directors. The selection procedure shall be  
85 10 incorporated into the bylaws of the board of directors and  
85 11 shall include a nomination process by which nominations are  
85 12 submitted to the department, objections to a nominee may be  
85 13 submitted to the department by a date certain, and if at least  
85 14 twenty-five objections to a nominee are received by the  
85 15 department, the nominee shall be eliminated from nomination  
85 16 for that term of membership.

85 17 NEW SUBSECTION. 15. Provide oversight to ensure that the  
85 18 composition of the area agency on aging board of directors  
85 19 complies with the rules of the department.

85 20 Sec. 107. Section 231.33, Code Supplement 2005, is amended  
85 21 by adding the following new subsections:

85 22 NEW SUBSECTION. 19. Require the completion by board of  
85 23 directors members, annually, of four hours of training,  
85 24 provided by the department of elder affairs.

85 25 NEW SUBSECTION. 20. Incorporate into the bylaws of the  
85 26 area agency's board of directors and comply with the procedure  
85 27 established by the department for selection of members to the  
85 28 board of directors as provided in section 231.23.

85 29 Sec. 108. Section 237A.5, subsection 2, paragraph a,  
85 30 subparagraph (1), Code 2005, is amended to read as follows:

85 31 (1) "Person subject to ~~an evaluation~~ a record check"  
85 32 means a person ~~who has committed a transgression and~~ who is  
85 33 described by any of the following:

85 34 (a) The person is being considered for licensure or  
85 35 registration or is registered or licensed under this chapter.

86 1 (b) The person is being considered by a child care  
86 2 facility for employment involving direct responsibility for a  
86 3 child or with access to a child when the child is alone or is  
86 4 employed with such responsibilities.

86 5 (c) The person will reside or resides in a child care  
86 6 facility.

86 7 (d) The person has applied for or receives public funding  
86 8 for providing child care.

86 9 (e) The person will reside or resides in a child care home  
86 10 that is not registered under this chapter but that receives  
86 11 public funding for providing child care.

86 12 Sec. 109. Section 237A.5, subsection 2, paragraph a, Code  
86 13 2005, is amended by adding the following new subparagraph:

86 14 NEW SUBPARAGRAPH. (1A) "Person subject to an evaluation"

86 15 means a person subject to a record check whose record  
86 16 indicates that the person has committed a transgression.  
86 17 Sec. 110. Section 237A.5, subsection 2, Code 2005, is  
86 18 amended by adding the following new paragraph:  
86 19 NEW PARAGRAPH. aa. If an individual person subject to a  
86 20 record check is being considered for employment by a child  
86 21 care facility or child care home, in lieu of requesting a  
86 22 record check to be conducted by the department under paragraph  
86 23 "b", the child care facility or child care home may access the  
86 24 single contact repository established pursuant to section  
86 25 135C.33 as necessary to conduct a criminal and child abuse  
86 26 record check of the individual. A copy of the results of the  
86 27 record check conducted through the single contact repository  
86 28 shall also be provided to the department. If the record check  
86 29 indicates the individual is a person subject to an evaluation,  
86 30 the child care facility or child care home may request that  
86 31 the department perform an evaluation as provided in this  
86 32 subsection. Otherwise, the individual shall not be employed  
86 33 by the child care facility or child care home.

86 34 Sec. 111. Section 237A.5, subsection 2, paragraph b, Code  
86 35 2005, is amended to read as follows:

87 1 b. ~~The~~ Unless a record check has already been conducted in  
87 2 accordance with paragraph "aa", the department shall conduct a  
87 3 criminal and child abuse record ~~checks~~ check in this state for  
87 4 a person who is subject to a record check and may conduct  
87 5 ~~these checks~~ such a check in other states. In addition, the  
87 6 department may conduct a dependent adult abuse, sex offender  
87 7 registry, ~~and~~ or other public or civil offense record ~~checks~~  
87 8 check in this state or in other states for a person who is  
87 9 subject to a record check. ~~If the department a record check~~  
87 10 performed pursuant to this paragraph identifies an individual  
87 11 as a person subject to an evaluation, an evaluation shall be  
87 12 performed to determine whether prohibition of the person's  
87 13 involvement with child care is warranted. The evaluation  
87 14 shall be performed in accordance with procedures adopted for  
87 15 this purpose by the department.

87 16 Prior to performing an evaluation, the department shall  
87 17 notify the affected person, licensee, registrant, or child  
87 18 care home applying for or receiving public funding for  
87 19 providing child care, that an evaluation will be conducted to  
87 20 determine whether prohibition of the person's involvement with  
87 21 child care is warranted.

87 22 Sec. 112. Section 249J.5, Code Supplement 2005, is amended  
87 23 by adding the following new subsection:

87 24 NEW SUBSECTION. 9. Following initial enrollment, an  
87 25 expansion population member shall reenroll annually by the  
87 26 last day of the month preceding the month in which the  
87 27 expansion population member initially enrolled. The  
87 28 department may provide a process for automatic reenrollment of  
87 29 expansion population members.

87 30 Sec. 113. Section 249J.6, subsection 2, paragraph a, Code  
87 31 Supplement 2005, is amended to read as follows:

87 32 a. ~~Beginning no later than March 1, 2006, within ninety~~  
87 33 ~~days of enrollment in the expansion population, each~~ Each  
87 34 expansion population member who enrolls or reenrolls in the  
87 35 expansion population on or after January 31, 2007, shall  
88 1 participate, in conjunction with receiving a single  
88 2 comprehensive medical examination and completing a personal  
88 3 health improvement plan, in a health risk assessment  
88 4 coordinated by a health consortium representing providers,  
88 5 consumers, and medical education institutions. ~~An expansion~~  
88 6 ~~population member who enrolls in the expansion population~~  
88 7 ~~prior to March 1, 2006, shall participate in the health risk~~  
88 8 ~~assessment, receive the single comprehensive medical~~  
88 9 ~~examination, and complete the personal health improvement plan~~  
88 10 ~~by June 1, 2006.~~ The criteria for the health risk assessment,  
88 11 the comprehensive medical examination, and the personal health  
88 12 improvement plan shall be developed and applied in a manner  
88 13 that takes into consideration cultural variations that may  
88 14 exist within the expansion population. The health risk  
88 15 assessment shall utilize a gender-specific approach. In  
88 16 developing the queries unique to women, a clinical advisory  
88 17 team shall be utilized that includes women's health  
88 18 professionals including but not limited to those with  
88 19 specialties in obstetrics and gynecology, endocrinology,  
88 20 mental health, behavioral health, oncology, cardiology, and  
88 21 rheumatology.

88 22 Sec. 114. Section 249J.6, subsection 2, Code Supplement  
88 23 2005, is amended by adding the following new paragraphs:

88 24 NEW PARAGRAPH. d. Following completion of an initial  
88 25 health risk assessment, comprehensive medical examination, and

88 26 personal health improvement plan, an expansion population  
88 27 member may complete subsequent assessments, examinations, or  
88 28 plans with the recommendation and approval of a provider  
88 29 specified in paragraph "c".  
88 30 NEW PARAGRAPH. e. Refusal of an expansion population  
88 31 member to participate in a health risk assessment,  
88 32 comprehensive medical examination, or personal health  
88 33 improvement plan shall not be a basis for ineligibility for or  
88 34 disenrollment from the expansion population.

88 35 Sec. 115. Section 249J.8, subsections 1 and 2, Code  
89 1 Supplement 2005, are amended to read as follows:  
89 2 1. Beginning July 1, 2005, each expansion population  
89 3 member whose family income equals or exceeds one hundred  
89 4 percent of the federal poverty level as defined by the most  
89 5 recently revised poverty income guidelines published by the  
89 6 United States department of health and human services shall  
89 7 pay a monthly premium not to exceed one-twelfth of five  
89 8 percent of the member's annual family income, and each  
89 9 expansion population member whose family income is less than  
89 10 one hundred percent of the federal poverty level as defined by  
89 11 the most recently revised poverty income guidelines published  
89 12 by the United States department of health and human services  
89 13 shall pay a monthly premium not to exceed one-twelfth of two  
89 14 percent of the member's annual family income. All premiums  
89 15 shall be paid on the last day of the month of coverage. The  
89 16 department shall deduct the amount of any monthly premiums  
89 17 paid by an expansion population member for benefits under the  
89 18 healthy and well kids in Iowa program when computing the  
89 19 amount of monthly premiums owed under this subsection. An  
89 20 expansion population member shall pay the monthly premium  
89 21 during the entire period of the member's enrollment. ~~However,~~  
~~89 22 regardless~~ Regardless of the length of enrollment, the member  
89 23 is subject to payment of the premium for a minimum of four  
89 24 consecutive months. However, an expansion population member  
89 25 who complies with the requirement of payment of the premium  
89 26 for a minimum of four consecutive months during a consecutive  
89 27 twelve-month period of enrollment shall be deemed to have  
89 28 complied with this requirement for the subsequent consecutive  
89 29 twelve-month period of enrollment and shall only be subject to  
89 30 payment of the monthly premium on a month-by-month basis.

89 31 Timely payment of premiums, including any arrearages accrued  
89 32 from prior enrollment, is a condition of receiving any  
89 33 expansion population services. Premiums collected under this  
89 34 subsection shall be deposited in the premiums subaccount of  
89 35 the account for health care transformation created pursuant to  
90 1 section 249J.23. An expansion population member shall also  
90 2 pay the same copayments required of other adult recipients of  
90 3 medical assistance.

90 4 2. The department may reduce the required out-of-pocket  
90 5 expenditures for an individual expansion population member  
90 6 based upon the member's increased wellness activities such as  
90 7 smoking cessation or compliance with the personal health  
90 8 improvement plan completed by the member. The department  
90 9 shall also waive the required out-of-pocket expenditures for  
90 10 an individual expansion population member based upon a  
90 11 hardship that would accrue from imposing such required  
90 12 expenditures. Information regarding the premium payment  
90 13 obligation and the hardship exemption, including the process  
90 14 by which a prospective enrollee may apply for the hardship  
90 15 exemption, shall be provided to a prospective enrollee at the  
90 16 time of application. The prospective enrollee shall  
90 17 acknowledge, in writing, receipt and understanding of the  
90 18 information provided.

90 19 Sec. 116. Section 249J.20, subsection 5, Code Supplement  
90 20 2005, is amended to read as follows:

90 21 5. The department of human services, the department of  
90 22 management, and the legislative services agency shall utilize  
90 23 a joint process to arrive at an annual consensus projection  
90 24 for medical assistance program and expansion population  
90 25 expenditures for submission to the council. By December 15 of  
90 26 each fiscal year, the council shall ~~agree to a review the~~  
~~90 27 consensus~~ projection of expenditures for the fiscal year  
90 28 beginning the following July 1, based upon the consensus  
90 29 projection submitted.

90 30 Sec. 117. Section 249J.24, subsections 1 and 6, Code  
90 31 Supplement 2005, are amended to read as follows:

90 32 1. An IowaCare account is created in the state treasury  
90 33 under the authority of the department of human services.  
90 34 Moneys appropriated from the general fund of the state to the  
90 35 account, moneys received as federal financial participation  
91 1 funds under the expansion population provisions of this

91 2 chapter and credited to the account, moneys received for  
91 3 disproportionate share hospitals and credited to the account,  
91 4 moneys received for graduate medical education and credited to  
91 5 the account, proceeds ~~transferred distributed~~ from the county  
91 6 treasurer as specified in subsection 6, and moneys from any  
91 7 other source credited to the account shall be deposited in the  
91 8 account. Moneys deposited in or credited to the account shall  
91 9 be used only as provided in appropriations or distributions  
91 10 from the account for the purposes specified in the  
91 11 appropriation or distribution. Moneys in the account shall be  
91 12 appropriated to the university of Iowa hospitals and clinics,  
91 13 to a publicly owned acute care teaching hospital located in a  
91 14 county with a population over three hundred fifty thousand,  
91 15 and to the state hospitals for persons with mental illness  
91 16 designated pursuant to section 226.1 for the purposes provided  
91 17 in the federal law making the funds available or as specified  
91 18 in the state appropriation and shall be distributed as  
91 19 determined by the department.

91 20 6. a. Notwithstanding any provision to the contrary, ~~from~~  
~~91 21 each semiannual for the collection of taxes levied under~~  
91 22 section 347.7 for which the collection is performed after July  
91 23 1, 2005, the county treasurer of a county with a population  
91 24 over three hundred fifty thousand in which a publicly owned  
91 25 acute care teaching hospital is located shall ~~transfer~~  
91 26 distribute the proceeds collected pursuant to section 347.7 in  
91 27 a total amount of thirty-four million dollars annually, which  
91 28 would otherwise be distributed to the county hospital, to the  
91 29 treasurer of state for deposit in the IowaCare account under  
91 30 this section as follows:

91 31 (1) The first seventeen million dollars in collections  
91 32 pursuant to section 347.7 between July 1 and December 31  
91 33 annually shall be distributed to the treasurer of state for  
91 34 deposit in the IowaCare account and collections during this  
91 35 time period in excess of seventeen million dollars shall be  
92 1 distributed to the acute care teaching hospital identified in  
92 2 this subsection.

92 3 (2) The first seventeen million dollars in collections  
92 4 pursuant to section 347.7 between January 1 and June 30  
92 5 annually shall be distributed to the treasurer of state for  
92 6 deposit in the IowaCare account and collections during this  
92 7 time period in excess of seventeen million dollars shall be  
92 8 distributed to the acute care teaching hospital identified in  
92 9 this subsection.

92 10 b. The board of trustees of the acute care teaching  
92 11 hospital identified in this subsection and the department  
92 12 shall execute an agreement under chapter 28E by July 1, 2005,  
92 13 and annually by July 1, thereafter, to specify the  
92 14 requirements relative to ~~transfer~~ distribution of the proceeds  
92 15 and the distribution of moneys to the hospital from the  
92 16 IowaCare account. The agreement shall include provisions  
92 17 relating to exceptions to the deadline for submission of clean  
92 18 claims as required pursuant to section 249J.7 and provisions  
92 19 relating to data reporting requirements regarding the  
92 20 expansion population. The agreement may also include a  
92 21 provision allowing such hospital to limit access to such  
92 22 hospital by expansion population members based on residency of  
92 23 the member, if such provision reflects the policy of such  
92 24 hospital regarding indigent patients existing on April 1,  
92 25 2005, as adopted by its board of hospital trustees pursuant to  
92 26 section 347.14, subsection 4.

92 27 c. Notwithstanding the specified amount of proceeds to be  
92 28 ~~transferred distributed~~ under this subsection, if the amount  
92 29 allocated that does not require federal matching funds under  
92 30 an appropriation in a subsequent fiscal year to such hospital  
92 31 for medical and surgical treatment of indigent patients, for  
92 32 provision of services to expansion population members, and for  
92 33 medical education, is reduced from the amount allocated that  
92 34 does not require federal matching funds under the  
92 35 appropriation for the fiscal year beginning July 1, 2005, the  
93 1 amount of proceeds required to be ~~transferred distributed~~  
93 2 under this subsection in that subsequent fiscal year shall be  
93 3 reduced in the same amount as the amount allocated that does  
93 4 not require federal matching funds under that appropriation.

93 5 Sec. 118. NEW SECTION. 263.23 OBLIGATIONS TO INDIGENT  
93 6 PATIENTS.

93 7 The university of Iowa hospitals and clinics shall continue  
93 8 the obligation existing on April 1, 2005, to provide care or  
93 9 treatment at the university of Iowa hospitals and clinics to  
93 10 indigent patients and to any inmate, student, patient, or  
93 11 former inmate of a state institution as specified in sections  
93 12 263.21 and 263.22, with the exception of the specific



93 13 obligation to committed indigent patients pursuant to section  
93 14 255.16, Code 2005.

93 15 Sec. 119. Section 272C.1, subsection 6, Code Supplement  
93 16 2005, is amended by adding the following new paragraph:  
93 17 NEW PARAGRAPH. ad. The director of public health in  
93 18 certifying emergency medical care providers and emergency  
93 19 medical care services pursuant to chapter 147A.

93 20 Sec. 120. Section 691.6, Code Supplement 2005, is amended  
93 21 by adding the following new subsection:  
93 22 NEW SUBSECTION. 8. To retain tissues, organs, and bodily  
93 23 fluids as necessary to determine the cause and manner of death  
93 24 or as deemed advisable by the state medical examiner for  
93 25 medical or public health investigation, teaching, or research.  
93 26 Tissues, organs, and bodily fluids shall be properly disposed  
93 27 of by following procedures and precautions for handling  
93 28 biologic material and blood-borne pathogens as established by  
93 29 rule.

93 30 Sec. 121. CHILD SUPPORT RECOVERY UNIT REPORT ==  
93 31 LIMITATION. If 2006 Iowa Acts, House File 2332, is enacted,  
93 32 the section of the Act relating to the child support recovery  
93 33 unit submitting a report on the effects of the nonsupport  
93 34 provision under section 726.5, as amended in that Act, shall  
93 35 be limited in scope to cases in which the child support  
94 1 recovery unit is providing services pursuant to chapter 252B.

94 2 Sec. 122. 2004 Iowa Acts, chapter 1175, section 432,  
94 3 subsection 3, is amended to read as follows:  
94 4 3. Applicants issued a temporary license pursuant to this  
94 5 section shall pass a licensure examination approved by the  
94 6 board on or before July 1, 2007, in order to ~~remain licensed~~  
~~94 7 as an interpreter qualify to be licensed by examination.~~

94 8 Sec. 123. TRAVEL POLICY.  
94 9 1. For the fiscal year beginning July 1, 2006, each  
94 10 department or independent agency receiving an appropriation in  
94 11 this Act shall review the employee policy for daily or short=  
94 12 term travel including but not limited to the usage of motor  
94 13 pool vehicles under the department of administrative services,  
94 14 employee mileage reimbursement for the use of a personal  
94 15 vehicle, and the usage of private automobile rental companies.  
94 16 Following the review, the department or agency shall implement  
94 17 revisions in the employee policy for daily or short-term  
94 18 travel as necessary to maximize cost savings.

94 19 2. Each department or independent agency subject to  
94 20 subsection 1 shall report to the general assembly's standing  
94 21 committees on government oversight regarding the policy  
94 22 revisions implemented and the savings realized from the  
94 23 changes. An initial report shall be submitted on or before  
94 24 December 1, 2006, and a follow-up report shall be submitted on  
94 25 or before December 1, 2007.

94 26 Sec. 124. VETERANS TRUST FUND == FEDERAL REPLACEMENT  
94 27 FUNDS. If funds are received from the United States  
94 28 department of veterans affairs for the establishment and  
94 29 operation of a veterans cemetery in this state, a portion of  
94 30 those funds, not to exceed \$500,000, shall be credited to the  
94 31 general fund of the state, and the remainder is appropriated  
94 32 to and shall be deposited in the veterans trust fund  
94 33 established in section 35A.13, subject to the requirements of  
94 34 this section and consistent with any federal requirements  
94 35 associated with such funds. The portion deposited in the  
95 1 veterans trust fund shall be equal to moneys expended for the  
95 2 establishment and operation of a veterans cemetery from moneys  
95 3 appropriated for that purpose pursuant to 2004 Iowa Acts,  
95 4 chapter 1175, section 288, subsection 16.

95 5 Sec. 125. SINGLE POINT OF ENTRY LONG-TERM LIVING SYSTEM  
95 6 INTERIM STUDY COMMITTEE. The legislative council is requested  
95 7 to establish an interim study committee to make  
95 8 recommendations for establishing a single point of entry to  
95 9 the long-term living system. The membership of the interim  
95 10 study committee shall include four members of the senate,  
95 11 three members of the house of representatives, and not more  
95 12 than four members of the public. The study committee shall  
95 13 report its findings and recommendations, including  
95 14 recommendations for coordinating state efforts to provide  
95 15 access to informational and educational resources to assist  
95 16 individuals in making informed choices to address their long=  
95 17 term living needs and recommendations for funding the single  
95 18 point of entry, to the general assembly for consideration  
95 19 during the 2007 Legislative Session.

95 20 Sec. 126. Section 157.5A, Code 2005, is repealed.

95 21 Sec. 127. EFFECTIVE DATE. The provisions of this division  
95 22 of this Act amending sections 249J.5, 249J.8, 249J.20, and  
95 23 249J.24, being deemed of immediate importance, take effect

